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CALENDAR

OF

VIRGINIA STATE PAPERS

AND

OTHER MANUSCRIPTS,

FROM

JANUARY 1, 1794, TO MAY 16, 1795,

PRESERVED IN THE CAPITOL AT RICHMOND.

ARRANGED AND EDITED

BY

SHERWIN McRAE AND RALEIGH COLSTON,

UNDER THE AUTHORITY AND DIRECTION

OF

Hon. H. W. FLOURNOY,

SECRETARY OF THE COMMONWEALTH OF VIRGINIA,

AND

STATE LIBRARIAN.

VOLUME VII.

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PREFACE.

This volume is the seventh in the series of the Calendar of Virginia State Papers. It contains in chronological order, papers pertaining exclusively to Virginia, and others of the most interesting character pertaining to Virginia and the United States. None of these papers, it is believed, have ever heretofore been printed. No Virginia history can be complete without embracing these papers, and no history of the United States can be complete without containing the matter of such of these papers as pertain to the United States. The Virginia papers relating to the whiskey insurrection make an important addition to the history of that event. Also the papers relating to ships of belligerents lying in proximity in the waters of Chesapeake bay, are important factors in the history of the United States. The vigilance and management of the Governor of Virginia saved the United States from entanglement in the war then prevailing between France and Great Britain. The United States were wholly impotent to prevent collision between these powers in the waters of Virginia. They did not possess a single vessel of war to compel the observance of peace, nor any adequate means by forts or otherwise to protect Norfolk and the contiguous coast from hostile invasion and violence. In these and all cases in which the government of the United States was unable, from want of an army and navy to protect the State and the country from aggression or domestic violence, Virginia promptly and cheerfully exerted all her power, civil and military, to aid the United States. The papers contained in this volume of the Calendar show conclusively that without the ready and efficient aid of Virginia, the responsibilities of the United States under the war power of the Constitution could not have been met.

It may be safely affirmed that this volume is replete with matter interesting not only to Virginians but to the people of every part of our common country.

CALENDAR OF STATE PAPERS.

1794.

P. GOODWIN TO THE GOVERNOR. — 1794.

Solicits the appointment of agent to collect certain arrears of taxes and duties in the Brigade district, of which Dinwiddie is a part. — Jan'y 1st, Dinwiddie

---

THOS. LUD. LEE AND W. ALEXANDER TO THE GOVERNOR. — Jan'y 1st

Recommend Enock Mason to be appointed agent to collect certain arrears of taxes and duties in the Brigade district, of which Stafford is a part. — Stafford

---

JOHN W. SEMPLE TO THE GOVERNOR. — Jan'y 1st

Solicits the appointment of agent to collect certain arrears of taxes and duties in the Brigade district, of which King and Queen is a part. — King & Queen

---

ELISHA C. DICK TO THE GOVERNOR. — Jan'y 1st

Writes to enable the Executive to judge what compensation he was entitled to as superintendent of quarantine at Alexandria. Informs the Governor that he acted in the two capacities of superintendent and physician. — Alexandria

---

Vincent Gray, surveyor, certifies that Elisha C. Dick, esquire, superintendent of quarantine for the port of Alexandria, entered during the contagion in Philadelphia and prior to the Governor's last proclamation, fifty-five ships or vessels. — Jan'y 1st, Port District of Alexandria

1794.

A. LEWIS TO THE GOVERNOR.

Jan'y 1st
Varnee

Fears that the failure to pay the troops in service in 1793, will injure the recruiting business. Lee county liable to be attacked by the Cherokee Indians. Recommends Sam'l Todd to be appointed agent to collect certain arrears of taxes and duties in the Brigade, of which Stafford is a part.

Jan'y 2d

J. K. READ TO JAMES WOOD.

Richmond

Petitions the Executive for compensation as health officer while the small-pox prevailed in Richmond.

Jan'y 2d
Richmond

J. K. Read and James Russell jointly solicit the Executive for compensation as health officers. They lost their general practice on account of this service, and the daily report to the Executive took much of their time.

Jan'y 2d

SAMUEL COLEMAN TO THE LIEUT.-GOVERNOR.

Council office

Communicates the usual quarterly returns from the Superintendent at the Point of Fork.

Jan'y 3d

JAMES DYKES TO THE GOVERNOR.

Fredericksburg

Solicits the appointment as agent to collect certain arrears of taxes and duties in the Brigade district, of which Fredericksburg is a part.

Jan'y 3d

EDWARD CARTER TO THE GOVERNOR.

Recommends Mr. Thomas Chilton as agent to collect certain arrears of taxes in the Brigade district, of which Prince William is a part.

Jan'y 3d

MATTHEW PAGE TO JNO. STEELE.

Recommends Capt. Gaines as agent to collect certain arrears of taxes in the Brigade district, of which —— is a part.

Daniel Coleman, of Caroline county, recommended to the Governor as collector of arrearages of taxes. 1794. Jan'y 3d

---

WILL: HINES OF SOUTHAMPTON CO. TO THE GOVERNOR. Jan'y 3d

Solicits appointment as collector of arrears of taxes for the Eighth Brigade. Manchester

---

H. BROOKE TO THE GOVERNOR. Jan'y 4th

Recommends Thomas Chilton as agent to collect certain arrears of taxes in the Brigade district, of which Fauquier is a part. Fauquier

---

WM. HAY TO THE GOVERNOR. Jan'y 4th

Recommends Captain Charles Yancey as agent to collect arrears of taxes in the Brigade district, of which —— is a part. Richmond

---

RESOLUTIONS OF NORTH CAROLINA, RELATING TO DECISION OF THE FEDERAL JUDICIARY, THAT A STATE MAY BE SUED BY AN INDIVIDUAL. Jan'y 4th

NORTH CAROLINA:
In Senate, 4th January, 1794.

Whereas, it hath been determined in the Supreme Federal Court of the United States, that a State may be sued by an Individual or Individuals in said Court, North Carolina

Resolved, that such a power, however it might have been contemplated by some, was not generally conceived by the Representatives of this State in the Convention which adopted the Federal Constitution as a power to be vested in the Judiciary of the General Government, and that this General Assembly view the same as derogatory of the reserved rights and sovereignty of this State.

Resolved, that the Senators from this State in the Senate of the United States be and they are hereby instructed, and the representatives requested, to take the most speedy and effectual measures to obtain such amendments in the Constitution of the United States as will remove or Explain any clause or article of the said Constitution which can be construed to imply or Justify a decision, that a State is compellable to answer in any suit by an Individual or Individuals in any Court of the United States.

1794. Jan'y 4th

Resolved, that nothing in the foregoing resolutions contained shall operate to prohibit the Senators and Representatives of this State from co-operating with the members of other States in proposing such other amendments to the Federal Constitution as to them may appear calculated to secure the sovereignty of the Several States and to promote the true interests of the people.

Resolved, that his Excellency the Governor is hereby requested to communicate the foregoing resolves to the Supreme Executive of the Several States, and to the Senators and representatives from this State to the Congress of the United States.

WM. LENOIR, S. S.

By order,

S. HAYWOOD, C. S.

In the House of Commons, 11th January, 1794, read and concurred with.

J. LEIGH, S. H. C.

By order,

J. HUNT, C. H. C.

Jan'y 4th

RO: BROOKE TO THE GOVERNOR.

Fredericksburg

Agreeably to your directions, I attended the Escheator in the county of Frederick, on 24th ult., when the title to that part of the manor of Leeds lying within that County was submitted to the determination of an inquest, a majority of whom found against the Commonwealth.

On reflecting on the Inquisition since it was taken, I am induced to beleive it is defective, and will not conclude the rights of the State; but of this I suppose the Att'y-Gen'l will inform you, after having considered it.

I also attended the Escheator in the County of Fauquier, on the 27th, but as the time given me to reflect on the subject, as well as the information, had been very limited, and I could not after the argument at Frederick have that recourse to Books that I wished, I took the liberty of advising the Escheator of Fauquier to postpone taking his inquest untill the 19th of April, when I hope to be fully prepared to assert the rights of the Commonwealth.

Having no opportunity of seeing the Escheator of Shanandoah, I could make no possative arrangement for his County, but recommended him, by letter, to appoint some day early in April to take his Inquest and to give me such notice as will enable me to attend him.

As a further reason for my presuming to delay this business, I beg leave to observe that it appeared to me to be the wish of all the individuals who conceived themselves particularly interested in the determination of it. To them it appeared strange that after so many years had

elapsed without proceeding one step in the business, it should now be precipitated at an inclement season of the year, and without such notice as would inable those who might think it necessary to procure counsel in aid of the Commonwealth to do so. These and many other observations satisfied me that the only means of preventing that dissatisfaction, which would have discovered itself on the failure of the Commonwealth on a second instance, was to postpone the prosecution of the business for a short time, which I hope will experience your approbation, and that you will believe me to be, &c. 1794. Jan'y 4th

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MONS'S P. A. CHERUI, VICE-CONSUL FRENCH REPUBLIC, TO THE GOVERNOR. Jan'y 4th

Alexandria, the 4th January, 1794,
the 3d year of the French Republic.

Citizen Cherui, Vice-Consul of the French Republic in Alexandria, to Mr. H. Lee, Governor of Virginia, and Commanding Officer of the Military Forces of the State: Alexandria

Having been appointed on the 31st of the last month Vice-Consul of the French Republic in Alexandria, with the Exequatur of the President of the United States, I thought a duty incumbent on me to Mr. Loyd Lee's, where I heard with regret you had Just set off to Richmond.

I have since exhibited my title papers to the Constituted Authorities in this Town that I might find in their powers the help and rights which my office place may require in some cases, according to the treaties and rules agreed to thereupon. As you are the Chief Magistrate of this State, and none of the Authorities can act without you, I request you to send them the necessary orders, if there is any occasion for it.

If my affairs did not detain me in Alexandria, where I am absolutely necessary to distribute succours to a great number of Frenchmen come from St. Domingo, twelve of whom are in the greatest distress, and sollicit the beneficence of the Inhabitants of this State, I would have been happy to go and acquaint you personally with these title papers, and to assure you of the desire I have of deserving the esteem of the first magistrate of the province where I live, and that I will endeavour to acquire by my behavior and respect for the sovereignty of a free people.

Be satisfied, Sir, that I will employ all means to prove to the inhabitants of this State, as well as to the brave Republican who commands over them, the most inviolable attachment which ought forever unite our two Republics, & the greatest respect for the laws & Constituted Authorities of a Country which I honor, since it has been the first

1794. Jan'y 4th which shook off the yoke of Tyranny, and traced to us by the Courage of its inhabitants and the virtues of its Chiefs the sacred road to liberty. Accept, Sir, my sincere regard and respect.

P. S.—I take the liberty to Enclose in the present letter a list* of the French men who are in need of relief and whom the French Republic has relieved since their arrival six weeks ago.

Balance of the Books belonging to the President, Directors & Company of the Bank of Alexandria, taken the first Monday in January, 1794:

To Bills & notes Discounted	277,435 98	By Stock	150,000 00
To Cash	73,215 22	By Post Notes issued	24,758 70
To Incidental charges	6,986 54	By Bank Notes	133,760 00
		By Deposits	38,216 74
		By Discounts	10,845 63
		By Profit & Loss	55 67
	357,636 74		357,636 74

Bank of Alexandria,
January 6th, 1794.

GURDEN CHAPIN, Cashier.

Jan'y 6th

DAVID ROSS TO THE GOVERNOR.

Cobham Recommending Benj'n Day as agent for collecting arrears of taxes in Brigade district, of which Fredericksburg forms part.

Jan'y 6th

N. BURWELL TO THE GOVERNOR.

King William county Soliciting agency for collecting arrears of taxes in Brigade district, of which King William forms a part.

Jan'y 6th

THOMAS WATKINS TO THE GOVERNOR.

Halifax Recommending Peter Barksdale as collector of arrears of taxes in Brigade district, of which Halifax is part.

* List filed with original papers.

CHARLES WELLS TO THE GOVERNOR. 1794.

I am informed since my return from Richmond that Capt'n John McCollock from this county made an Incursion with thirty men into the Indian Country, fell in with two Camps, divided his men, and attacked them at daybreak; Carried the one where he commanded, but thro' the misconduct of Lieut. Biggs, who was to have attacked the other, he says, was obliged to abandon them. The particulars I hope Capt. McCollock has before this Informed your Excellency of. The Indians have since killed three men of Eight, who were on a Scout at the same time. As the army under Gen'l Wayne has made little progress last fall, we are likely to receive early visits from some of the Indian tribes the ensuing Spring. Jan'y 7th Ohio county

I have the honor, &c.

WARNER LEWIS TO THE GOVERNOR. Jan'y 8th

Recommends Peter B. Whiting as agent for collection of arrears of taxes in the Brigade district, of which Gloucester is a part. Gloucester

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PHIL. R. THOMPSON TO JNO. STEELE. Jan'y 8th

Recommending David Strother for agent for collecting arrears of taxes in Brigade district of which Culpeper forms part. Culpeper

---

WM. FLEMING GAINES TO JAS. WOOD. Jan'y 8th

Solicits appointment as agent for collecting arrears of taxes in Brigade district, of which King William forms a part. King William

---

JOHN JAMESON TO THE GOVERNOR. Jan'y 8th

Recommending Daniel Strother for appointment as agent for collecting arrears of taxes in the Brigade district, of which Fauquier forms part. Culpeper

---

BENJAMIN TEMPLE TO THE GOVERNOR. Jan'y 9th

Solicits the appointment of agent for the collection of the arrears of taxes in the Brigade district, of which King William is a part. King William county

1784. JOHN LEAR TO THE GOVERNOR.

Jan'y 10th. Solicits appointment as agent for collecting arrears of taxes in Brigade district, of which Hudson & part.
Hudson
Courtlandt

Jan'y 10th. T. CHRISTOPHER TO THE GOVERNOR.

Louis. Solicits appointment as collector of arrears of taxes in Brigade district, of which Louis is a part.

Jan'y 10th. Richard Henry Lee, Gouvr. Washington, Philip Lee, Richard Parker,
Washington. Walker Tomlin, Francis Lightfoot Lee, and others recommend Jas. Parrie as collector of arrears of taxes in Brigade district, of which Washington forms part.

RICHARD LEE TO THE GOVERNOR.

Recommends Joseph Parrie as collector of arrears of taxes in Brigade district, of which Washington forms part.

RICHARD PARRIE TO THE GOVERNOR.

Recommends Joseph Parrie as collector of arrears of taxes in Brigade district, of which Washington forms part.

Jan'y 10th. WM. PARRIE TO THE GOVERNOR.

Pendleton. Solicits appointment as collector of arrears of taxes for Brigade district, in which Pendleton forms part.

LEAH SETTLE TO THE GOVERNOR.

Recommends Wm. Parrie as agent for collection of arrears of taxes in the Brigade district, of which Augusta is part.

ANNE ST. CLAIRE TO THE GOVERNOR.

Recommends Wm. Parrie as agent for collection of arrears of taxes in Brigade district, of which Scarsdale forms part.

ALEX: STUART TO THE GOVERNOR. 1794.

Recommends Wm. Patton as agent for collecting arrears of taxes in Brigade district, of which Staunton is part. Jan'y 10th

---

Petition of John Poindexter, Jr., and others for the pardon of negro woman Peg, condemned in the County Court of Louisa to suffer death for an attempt to administer poison. Jan'y 11th

---

WM. DAVIES TO THE GOVERNOR. Jan'y 12th

Soliciting appointment as agent for collection of arrears of taxes for Brigade district, in which —— is a part. Broadway

---

SAMUEL TODD TO THE EXECUTIVE. Jan'y 13th

Soliciting appointment as agent for collection of arrears of taxes in Brigade district, of which Botetourt is a part. Rockbridge county

---

WM. GRAHAM TO THE GOVERNOR. Jan'y 13th

Recommends Sam'l Todd as agent for collection of arrears of taxes for Brigade district, of which Botetourt forms part.

DANIEL CARROLL BRENT TO THE GOVERNOR. Jan'y 14th

Recommends Enoch Mason as agent for collection of arrears of taxes in Brigade district, of which Stafford forms part. Stafford county

---

ANDREW REID TO THE GOVERNOR. Jan'y 15th

Solicits appointment as agent for collection of arrears of taxes in Brigade district, of which Rockbridge forms part. Rockbridge C. H.

JOHN OLIVER TO THE GOVERNOR. Jan'y 15th

Soliciting appointment as agent for collection of arrears of taxes in Brigade district, of which Bath forms part. Bath county

1794. ALEX: CAMPBELL, ATT'Y GEN'L, TO THE GOVERNOR.

Jan'y 15th Richmond

I have rec'd your Excellency's letter of this day, and in Consequence of it, have written to the British and French Consuls at Norfolk the letters which are enclosed. The instructions w'ch I have received from the President of the U. S. contemplate, before any duty is imposed on me, or any authority is committed to me, an actual seizure of the vessel, suggested to have been captured within the limits of our Jurisdiction, and a notification of that seizure from the Governor. To gratify, however, as much as I can the complaining party, I have appointed a day in Norfolk for the purpose of taking the depositions of the witnesses mentioned by the British Consul, and of any others which he or the opposite party may bring before me.

I have the honor, &c.

Jan'y 15th

SAM. HOPKINS, JR., TO THE GOVERNOR.

Logsdale

Recommends Thomas Vaughan as agent for collection of arrears of taxes in Brigade district, of which Mecklenburg forms part.

Jan'y 15th

JOHN KEY TO JAMES WOOD, LT. GOV'R.

Albemarle

Being applied to lately by one of my County men to assist in making of a Court to take depositions, &c., to enable him to get a second deed for a tract of Land conveyed to him before our records ware destroyed by the enemy. Not knowing whether I was named in the Commission, applyed to the Clerk's Office to see whether or not, but none could be found; therefore I would not undertake to be one of the members, and suppose others refused likewise. He again requested the favor of me to write the Governor and Council on the occasion. Having the honer to have some acquaintance with you is the reason I address myself to you in behalf of the poor man, who assures me unless the honorable Board grants him some relief, it is to bring ruin on him. I hope the law is not repealed giving the honorable Board the power in sending new commissions on applications to them made on such occasions, if not, hope the honorable Board will take it under consideration, and give the necessary relief in their wisdom, and the Laws authorizes your assistance on this occasion, will Greatly oblige a poor man and your Honorable's

Most Obedient & Humble Servant.

P. S.—In case the law requires a Special Commission, the man is James Old of Albemarle County.

SAM: HUNTINGDON, GOVERNOR OF CONNECTICUT, TO THE GOVERNOR OF VIRGINIA. 1794.

I am honored with your letter of the 15th ulto., covering a Resolve of the General Assembly of the Commonwealth of Virginia, of the 28th of November, to which it refers. Jan'y 15th Norwich

I have also the satisfaction to acquaint your Excellency that the Legislature of this State, in October last, passed a Resolve giving directions and instructions to the members from this State now in Congress similar to those expressed in the Resolves of the General Assembly of the Commonwealth over which you have the honor to preside.

I am not possessed of a copy of our Resolve, which must plead my Excuse for not transmitting the same at this time.

I have the honor, &c.

RICH'D KENNON TO THE GOVERNOR. Jan'y 16th

Recommends Thos. Vaughan as collector of arrears of taxes for Brigade district, of which Mecklenburg is part. Mecklenburg

---

Robert Slaughter appointed Collector of Taxes for the year 1793 in the county of Culpeper. Jan'y 16th Richmond

---

JOHN GUERRANT TO THE GOVERNOR. Jan'y 16th

Recommends Thomas W. Royster as agent for collection of arrears of taxes in Brigade district, of which Goochland is part. Goochland county

---

WILLIAM CLARK TO THE GOVERNOR. Jan'y 16th

Soliciting appointment as collector of arrears of taxes in Brigade district, of which Albemarle forms part. Albemarle

---

WM. HAY TO THE GOVERNOR. Jan'y 17th

Resigning as Director of Public Buildings.

1794. SAM'L COLEMAN TO THE GOVERNOR.

Jan'y 16th Council office

The Enclosed papers are claims of William Graham for 160 Days' service as Scout in Greenbrier County, amounting to forty pounds; and of Matthew Farley for 153 days' service as a Scout in the Same County. The proof of these services appears by the oath of the persons employing them, and their Employment was authorized by Colonel Steele.

I have the honor, &c.

Jan'y 17th Norfolk

ROBERT TAYLOR, MAYOR OF NORFOLK, TO THE GOVERNOR.

Col: Newton, about the 18th of December, delivered me two thousand dollars, to be applied to the relief of the French Emigrants from Cape Francois.

Mess. Donald Campbell and Baylor Hill, who were appointed by the Court Commissioner for the purpose of distributing the benevolence of the country, inform me that this, as well as what other money they have had in their hands, is exhausted; they therefore desire me to mention it to you, Sir, that if any further sum can be obtained for this purpose that they now stand in need of it. On Tuesday, the 14th Inst., an information was lodged with Col: Newton by the French Consul that some Frenchmen had meditated a Riot or an Attack upon some who were lodged in the Hospital at the Ferry Point late that night. Colo. Newton applyed to me on the Subject, when he informed me that he had resigned his Commission, and that the next officer in Command of the Militia wished not to order a guard except by direction of the Civil Magistrate. Tho' I do not know if I had any such authority, yet as I Considered the Peace and tranquility of the Town the first object, I wrote to the Commander of the Militia requesting him to order a guard of fifteen men, under a Captain, to parade the Streets, and to retain and confine all riotous, disorderly persons. Mr. Oster had also applyed to the Commanding Officer of the County, who, at his request, had sent a Guard to the Hospital, between whom and the Guards of this Town some signal had been agreed upon, which being wantonly given occasioned the Drum to beat to arms about 4 o'cl'k on Wednesday Morning, but the same being immediately discovered, and the Drum silenced, it occasioned less alarm in the Town than could be expected, especially as the alarm of fire is by beat of Drum.

In the morning of Wednesday, I waited on the French Consul to enquire into the Business. From him I rec'd the letter, a translation of which I now have the honor to Enclose you, with an information that he had called at my house the Evening before, but not finding me at home had lodged it with Col. Newton.

I have been thus particular in this affair, as things of this nature are generally misrepresented. For my own part, I think the Peace officers of the Borough sufficient in General to preserve the tranquility and order of the town; and that although the French Consul has been led to believe serious consequences were intended, yet from every enquiry I can make I am apt to think it was nothing more than a private quarrel, improperly represented to him, but yet, in our present situation, having a British Frigate in our Harbor, and a French Ship of 10 Guns, which arrived here yesterday with dispatches from Brest, perhaps some other precaution may be necessary. I know, Sir, that complaints have been made that the Guards lately called out was Burthensome and oppressive in operation. This, I imagine, may have proceeded from more being on the duty than was necessary; but if six men were called out every night with the Town Watch I should hope the security of the Town would be assured, and the Inhabitants not oppressed with the rotine of duty that so small a number would occasion, and if it is permittant with the Militia Law to be put under the Control of the Civil Magistrate by the return of the night being to him, I should hope it would also add to its Peace and order. 1794. Jan'y 17th

It would be perhaps right if, instead of six men from the Militia, six were added to the Nightly Watch, but the Town has already incurred so many Expences during the last year, that it is not able to make this addition without distressing the Inhabitants, and as the guard is intended to keep the peace in which the whole Country is interested, it will be perhaps thought it should be a general Expense.

I have considered it my duty to report to you our situation, that you may direct a Guard if you think it proper, and I take leave to assure your Excellency that I shall endeavor all that in me lies to preserve the Peace and order of the Town, at no time more necessary than at present, when men's minds seem to be afloat and wandering to objects that may not be either Conducive to their own happiness, or, what is still of more consequence, the public welfare.

I have the honor, &c.

Norfolk, January 14th, 1794. Jan'y 17th

Third year of the French Republic, at six o'cl'k in the Evening.

Sir,

I am informed that a number of Frenchmen, who are to me as yet unknown, but reside in this Town, are disposed to trouble the tranquility of a Family, and some particular persons, who are very Respectable by their patriotism to the French Republic, and that their intention is to go this Evening to Attack them at the Hospital, where they have lodged since the Day before yesterday; that they arrived from New

1794. Jan'y 17th

York furnished with recommendations to which I owe the greatest respect, and by which I am authorized to attend to their Safety, their wants, and their passage to France by the French vessels which are momently expected. This disposition on the part of these Disturbers of the publick repose, giving me the most poignant apprehensions, I impress myself with confidence, sir, to have recourse to your authority in order to hinder any Assembly of Frenchmen in the Town, and to stop by this means their Evil projects. The safety of the persons who are recommended to me appearing to demand Some Days a Safe Guard, I intreat you earnestly to have the goodness to grant them. Your zeal for good order, and your Love of humanity, being known to me, I hope that you will condescend to my request, and that you will not doubt more of the sincere thankfulness that shall have for it, than of the Sentiments of my attachment and respect for you.

Signed, OSTER. Greeting.

To Mr. Robert Taylor.
Mayor of Norfolk.

Jan'y 17th

ARTHUR CAMPBELL TO THE GOVERNOR.

Washington county

Replies to accusations of Capt. A. Lewis against Lieutenant Willoughby. Defends the court-martial held for his trial. Charges Capt. Lewis with falsehood in his letter written to the Governor, and being actuated by malice rather than a love of truth.

Jan'y 17th

JOHN BARRETT, MAYOR OF RICHMOND, TO THE GOVERNOR.

Richmond

In order to give the Executive the information they required respecting the French Emigrants from St. Domingo, I was obliged to apply to Mr. Dubois for his assistance, who is well acquainted with the circumstances of all those unfortunate people that came to this place, and he hath furnished me with the information Inclosed, to which I refer you. It appears that except Mr. Lanes, his family, and Mr. Meifrein (who are supported altogether by charity), the rest are all tradesmen, and are able to support themselves Comfortably. Mr. Lanes and his family are to be found at Mr. Truins in this city.

I have the honor, &c.

M. Meifrein now at a French Lady's, who lives close by Gab. Wood.

M. Lanes, his wife big with child, and a boy their son, wishes to be enabled to return immediately to St. Domingo. The husband prefer to expose himself to the inconveniences of war rather than be a charge to

this country in a moment where his wife's situation would require too much expence. 1794. Jan'y 17th

The other Gentlemen from St. Domingo living now in this town, but who can support themselves are the following:

Mr. Marchand, his wife, and a boy their son;

Mr. Courty, who lives at Crouches;

Mr. Bronde, at Chelsea;

Mde. Rancourt, at Chelsea;

Three French Taylors on the other side of the creek.

There was here, some time ago, a French Carpenter, who applied to me; I found Employment for him, but having been displeased, he went away, and I don't know what is become of him.

THOS. NEWTON TO JAMES WOOD, LIEUTENANT-GOVERNOR. Jan'y 18th

Agreeable to your warrant, Joseph Lavelle has been up, and was last night committed to Goal, by the Mayor of this place. A question arose whether he was bailable or not. We shall be much obliged for your & the Attorney-General's opinion thereon, as he has offered Bail, & from circumstances and depositions the man appears to be innocent. Your war'nt directs him to be legally Committed; this caused a doubt whether he could be admitted or not to bail; he now is ready to be delivered to Gov'r Mifflin when he pleases to demand him. I had him taken up & brought before me, but under the Act of Congress allowing bail in certain cases, I was of opinion the Mayor cou'd bail him, therefore sent him for that purpose, but he differed in opinion & committed him. As this is a matter of consequence, the first thing of the kind which has happened in these parts, we beg the fullest information for the conduct of the Justices in future. Another case has arose here which also requires y'r advice & consent. Several of the seamen from the British Ships of war have deserted; we should be glad to know whether, on complaint, they are to be taken up by the civil officers; this is a case of consequence & very often happening & I am at a loss how to proceed, as the Act of Congress for the Government of Seamen in the merchant's service do not take this in. I am Norfolk

D'r Sir,

Y'rs Respectfully.

THOS. ROYSTER TO THE GOVERNOR. Jan'y 20th

Solicits appointment as agent for collection of arrears of taxes in Brigade district, of which Goochland is part. Goochland

1794. WM. HAY TO THE GOVERNOR.

Jan'y 20th Richmond — Recommends Benjamin Oliver, Jr., and Wm. Hines (the former of Hanover Town, the latter of Southampton,) as agents for the collection of arrears of taxes in the Brigade district, of which Hanover and Southampton form parts respectively.

Jan'y 20th THOMAS READ TO THE GOVERNOR.

Charlotte — Recommends Col. Thos. Spencer agent for collection of arrears of taxes in Brigade district, of which Charlotte forms part.

Jan'y 21st JNO. TYLER TO THE GOVERNOR.

Greenway — Recommends Hamilton Wilcox as agent for collection of arrears of taxes in Brigade district, of which —— is part.

Jan'y 22d MUNGO HARVEY TO THE GOVERNOR.

Westmoreland — Soliciting appointment for regulating the militia and as agent for collection of arrears of taxes in Brigade district, of which Westmoreland forms part.

Jan'y 22d J. PENDLETON, AUDITOR, TO THE GOVERNOR.

Richmond — Having escaped the General rage on a late occasion, I am preparing to leave town in order to avoid the mild alternative of innoculation. From the situation of the place and the season of the year, I presume but little running business will occur for some time; and as the Gentleman Clerks are well acquainted with the respective branches of the publick business, I flatter myself no inconvenience will result from my absence. I shall remove only six miles into the Country, and will endeavor to obviate any delay or difficulty by frequent communications with the Gentlemen in the office, and I will avail myself of the earliest safe moment to return to the duties of my office. Mr. Shepard will prepare a statement of the arrearages according to the Act under which the Executive are to operate on the first Wednesday in next month.

I wish all patients (Except Doctors & Magistrates) happily through the disorder of w'ch I am myself so much afraid. I shall leave Town about Saturday. I begg leave to present my best respects to your Exc'y and the members of the Hon'ble Board, and I am, with respect, your Ex'cy's

Most ob't serv't.

BENJ. JOHNSON TO HON. JAMES WOOD. 1794.

Recommends Richard Barbour as agent for collection of arrears of taxes for Brigade district, of which Orange forms part. Jan'y 22d Orange Co.

H. BROOKE TO THE GOVERNOR. Jan'y 23d

Solicits the appointment of agent for collection of arrears of taxes for Brigade district, of which Fauquier forms part. Fauquier

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EDWARD CARTER TO THE GOVERNOR. Jan'y 24th

Recommends E. Brooke as agent for collection of arrears of taxes in Brigade district, of which Prince William forms part. Prince William

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THOS. LEE, JR., TO THE GOVERNOR. Jan'y 24th

Recommends Henry Dade Hoe as agent for collection of arrears of taxes in Brigade district, of which —— is part. Park Gate

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RO. BEALE TO THE GOVERNOR. Jan'y 24th

Solicits appointment as collector of arrears of taxes in Brigade district, of which Madison is part. Madison Co.

SAMUEL DUVAL TO THE GOVERNOR. Jan'y 25th

Solicits appointment as agent for collecting arrears of taxes in Brigade district, of which Franklin forms part. Franklin Courthouse

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EDMUND WINSTON TO THE GOVERNOR. Jan'y 25th

Recommends Alex. Stuart as agent for collecting arrears of taxes for Brigade district, of which Campbell forms part. Campbell county

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SAMUEL RICHARDSON TO THE GOVERNOR. Jan'y 25th

Solicits an appointment as agent for collection of arrears of taxes in Brigade district, of which Fluvanna is part. Fluvanna

1794. ROB'T BROOKE TO THE GOVERNOR.

Jan. 25th Fredericksburg — Recommends Edmund Brooke as agent for collection of arrears of taxes in Brigade district, of which Prince William forms part.

Jan. 26th LAURENCE MUSE TO THE GOVERNOR.

Tappahannock — Solicits the appointment as agent for collecting arrears of taxes in Brigade district, of which Essex forms part.

Jan. 27th JAMES GOVAN, ROBERT POLLARD, THOMAS NELSON, AND J. NELSON, CERTIFICATE AS TO WM. F. GAINES.

Recommend Wm. F. Gaines as agent for collecting arrears of taxes in Brigade district, of which —— forms part.

Jan. 27th HAYNES MORGAN TO THE GOVERNOR.

Recommends Peter Barksdale as agent for collecting arrears of taxes in Brigade district, of which Halifax forms part.

Jan. 27th — Joel Watkins and others recommend Peter Barksdale as agent for collection of taxes in Brigade district, of which Halifax is part.

Jan. 27th BENJ. BIGGS TO THE GOVERNOR.

West Liberty — I beg leave to inform you that some time in the month of November Capt. John McColloch and Lieut. Joseph Biggs, with part of their Rangers, went a scout west of the Ohio River; they found some Indian Camps; divided the party in order to attack them in different quarters—the Captain Commanding one party and the Lieut: the other. On their return there arose a dispute between the two officers, on which the Captain arrested the Lieut., and has not yet called on any Commanding Officer of a Regiment for a trial. On my return from Richmond, the Lieut. applyed to me to call a Court. I summoned a sufficient number of Officers. When they met, the Capt. Refused to lay in any charge. The Lieut. appears to be anxious for the trial (Believing himself innocent); that unless he can have a trial shortly, it may be an injury to him in Raising his quota of men for the Ensuing Summer.

The Reason the Capt. gave for not giving in the charge was he did not consider himself under the notice of the Militia Officers; that no person had the authority to order a court for that purpose except the Governor or Major Lowder. I therefore Beg you to order a Court Martial, or direct some officer in the Brigade how to proceed in the Business, as the Capt. appears to be very particular Respecting the matter. 1794. Jan. 27th

I am, Sir, &c.

H. KNOX, SECRETARY OF WAR, TO THE GOVERNOR. Jan. 27th

I have the honor to acknowledge the receipt of your letter of the 18th instant. It will be entirely out of my power, Sir, to direct an advance of any money upon an unliquidated account for the services of the militia. The Treasury will decline furnishing the money for such a purpose. The shortest mode, therefore, will be to direct the accounts to be transmitted to the accountant of this Department, at whose office the accounts must be adjusted. I shall urge the business with all my power, and the sum which shall be found due shall be paid without delay. War Department

I have the honor to be, &c.

BENJAMIN BIGGS TO THE GOVERNOR. Jan. 27th

Agreeable to my instructions from you, I have ordered out the number of Scouts & Rangers on the winter Establishment. I feel myself concerned respecting the defence of the frontiers the ensuing summer, tho' I believe the arrangements made by council to be sufficient as to the number of men. The scarcity of ammunition is a particular object. We have not in our county more than twenty wt. of the publick powder. Lead we have none. I know not how the other Counties Belonging to the Brigade may be circumstanced, I Believe nearly the same situation with ourselves. We yet depend on the Executive for their friendship towards the frontiers, and pray them to send a supply of ammunition as early as possible. We have no account of Gen'l Wayne's coming to an action this winter, therefore may reasonably expect the Indians to visit us early in the spring. There has been Contentions about the appointing of the Scouts in this District for the Ensuing Summer establishments; it is my wish that the Executive be particular and authorize some person for that purpose. Sir, I am, &c. Ohio county

1794. CHAPMAN AUSTIN TO THE GOVERNOR.

Jan. 28th Hanover — Solicits appointment as agent for collection of arrears of taxes in Brigade district, of which Hanover is part.

Jan. 28th THOS. LEE, JR., TO THE GOVERNOR.

Park Gate — Colo. Simms, of Alexandria, lately shewed me a memorial addressed to the Executive that he has drawn up and had signed by several of the Tenants, on the Land of the Commonwealth which I have been appointed to sell. I was summoned by one of the Tenants on behalf of himself and the rest to attend the taking of Depositions to support the claims set forth in the memorial. Not conceiving it any way connected with my duty, I did not attend, but the day after the time appointed I rode over to see some of the Tenants about their Replevy Bonds, and found Colo. Simms still engaged in taking depositions. From the information I have received, admiting any of the memorialists to be possessed of a right to the claim they set up, I am sure some of the signers to the memorial have not the least shadow of a title. From the cursory reading of the memorial and Depositions shown me, there are facts stated, which I am warranted to say are erroneous, and if the Executive think of acting on the memorial. I hope they will lett me have an opportunity of seeing both memorial and depositions, and collecting such information as will put the business in a fair point of view. For my own part, I cannot but think if the Tenants have any right to leases, that a Court of Law is a proper place for them to seek redress. If they are injured, the Commonwealth by selling their right and title to the land cannot in any degree weaken or lessen the Tenants' claim to leases. It was in a court of law that a number had their right to leases confirmed to them when the Commonwealth last ordered the Land to be sold, and some of the present signers to the memorial then tryed and failed in proving before a Jury any title to a lease, and had their claims dismissed. I have advertised the lands to be sold the first Monday in May. I postponed it to that late period because at that time the land in this part of the Country has its best appearance and will be most likely to Command a price equal to what I conceive its real value. The tenants have not yett taken their tobacco down. They promised to make payments so soon as they do, which, with what little I now have by me, shall be forwarded to the Treasury. I hope by March Court to have the acc'ts against the Estates of Messrs. Bullitt, Carr, & Chapman in readiness to move against them.

I have the honor to be, Dear Sir, with great esteem,
Your very obedient, humble servant.

ROBERT WILLIAMSON TO THE GOVERNOR. 1794.

Solicits appointment as agent for collection of arrears of taxes in Brigade district, of which Henry forms part. Jan. 28th Henry County

F. WATKINS TO THE GOVERNOR. Jan. 28th

Recommends Major Bibb as agent for collection of arrears of taxes in the Brigade district, of which Prince Edwards forms part. Prince Edward

C. M. THURSTON TO THE GOVERNOR. Jan. 29th

I yesterday received your letter of ye 25th instant, with the instructions of the Executive and the resolution of the Assembly of 12th Dec. last, relative to Escheator. In answer I can only say, and with all the confidence of conscious rectitude, that the information which gave rise to the Resolution, so far as it bears an aspect towards my conduct or myself, is a slander. I have neither been inattentive or delinquent, but have performed my duty. The officer who should have attended the — has either mistaken his, or the law is defective. As Escheator, I made application first to the Attorney for the State & district wherein I reside, to be ready to attend then and a Jury on an Escheat process. In reply he said that he did not consider the business within his province, which he conceived to be confined to Criminal cases only. My recourse, and the only one left, was then to the attorney for the county of Frederick. He denied that he could have any concern with it, being only an officer of, and under the court of the county, and therefore could not act on any occasion when the property of the State was in litigation. This is a naked statement of facts. How far as Escheator I have been guilty of inattention or delinquency, or whether the law is defective or the Attorney has mistaken his duty, rests with the Executive to determine. But if the law is sufficiently explicit in designating the proper officer to attend the Escheator and open up the case to the Jury, then is it solely in the power of the Executive to obviate the difficulty. Richmond

I have the honor, &c.

NAT. ANDERSON TO MR. A. BLAIR. Jan. 29th

Soliciting appointment as agent for collecting arrears of taxes in Brigade district, of which Hanover is part. Hanover County

1794. W. CABELL TO THE GOVERNOR.

Jan. 29th Amherst — Recommends N. Stewart as agent for collection of arrears of taxes in Brigade district, of which Amherst is part.

Jan. 29th W. CABELL TO THE GOVERNOR.

Amherst — Recommends A. Crawford as agent for collection of arrears of taxes in Brigade district, of which Amherst forms part.

Jan. 30th TH. JOHNSON, DD. STUART, DAN'L CARROLL, FEDERAL COMMISSIONERS, TO THE GOVERNOR.

Washington — We are sorry to perceive by the intercourse between our Treasurer and Mr. Hopkins that there is no certainty of a speedy payment of the last part of the Virginia Donation to this City, and that unless a particular arrangement is made by the Executive, our hopes and the public expectation will be disappointed. Permit me, sir, to intreat your attention to this object, the importance of which might be so strongly within your view, and that the Executive will take the necessary measures to ascertain us of the Receipt of a considerable part of this money soon, for we assure you our affairs will require it.

We are, Sir,
Your most obed't Servants.

Jan. 31st EDMUND RANDOLPH, ATTORNEY-GENERAL UNITED STATES, TO THE GOVERNOR.

Philadelphia — When I had the honor of seeing your Excellency in Richmond in July last, I entrusted to the Commissioner of Loans the Adjustment of a cause upon the subject of your letter of the 18th instant. It so happened that the papers did not reach me until after the Session of the Supreme Court of the United States, in August last. As soon as I received them, I communicated them to the Secretary of the Treasury, and he returned them to me about the latter end of the last week. The day before yesterday Mr. Bradford qualified as the Attorney-General of the United States, and they are now in his hands, as the groundwork of a proceeding, which I have requested him to institute at the Ensuing Session, which begins on the third day of next month.

I have the honor, &c.

P. HENRY TO THE GOVERNOR. 1794.

Recommends Francis James as agent for collection of arrears of taxes in Brigade district, of which —— forms part. Jan. 31st Long Island

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ELIZABETH LOVELL TO THE GOVERNOR. January

Asking the Governor for a new warrant to enable her to get a pension as the widow of ——— Lovell, for service in the Continental Army, the first warrant having been lost through the inattention of C. Stockdile. Northumberland C. H.

DENNIS RAMSAY, MAYOR OF ALEXANDRIA, TO THE GOVERNOR ENCLOSING STATEMENTS OF THE FRENCH EMIGRANTS FROM ST. DOMINGO. Feb. 1st.

I have the pleasure to acknowledge the receipt of your favor of the 22d ulto., and in conformity thereto I have made enquiry respecting the situation of the French Emigrants from Saint Domingo in and near this Town, which you will find by the enclosed statements, and which I believe is as near the truth as possible. Alexandria

I have the honor to be, &c.

List of the unhappy frenchmen in Alexandria in the State of Virginia, on the Ship Harriot of Newburyport, Capt. Bradbury, on the 25th of November last, who were taken as a prise by the Sloop Arm, Captain Harvey, from Bermuda, where they have been conducted, and plundered of everything, money, Jewels, plate, and of a part of their Cloths.

The s'd frenchmen have received no succours except those which have been granted to them by the Republic after the order of the minister.

The widow Ducrocy, 50 years old.

The widow Chalette, her daughter a little girl 3 years old.

The Widow Roderique, 60 years old.

The widow Dupin, 36 years old; Mr. Clarifoud; M. Grimsveral, 60 years old; his wife 46 years old; A negro man called Azor, a free man, whose two feet were cut off since his arrival in Alexandria. The expences for his sickness are due to Dr. James Craig.

Mr. Duquenest, 50 years old.

M'de Regnault the wife of Mr. Hubert, and a little girl eight years old.

1794. A child twelve years old, an orphan without having anybody to help him.
Feb. 1st The Widow Garrat.

We, Vice-Consul of the French Republic in Alexandria, Certify to whom it may belong, that the aforesaid people have declared to us that they stand in need of relief, and requested us to sollicit for them the beneficence of the Inhabitants of Richmond in presenting their request to the Governor of the State.

12 Jan'y 1793, 3d year of the French Republic.

P. A. CHERUI.

Mr. Grimprel was a Notary Public; is about 60 years of age.

Mrs. Grimprel, 46 do. They have some money which will serve them about two months; also Bills on the Republic of France, but cannot dispose of them. If they are so fortunate as to dispose of them, any money which they may receive they are willing to refund.

A negro man formerly belonging to Mr. Grimpoole has lost both his Feet. He will if he survives want necessary cloathing and money to pay the Doctor's Bill.

Mrs. Roderigue, a widow about 60 years of age, is both in want of money & Cloathing, &c.

An orphan Boy named Lender, 12 years of Age, has no money.

Mr. Duquesnay is about 50 years of Age; is in want of money and cloathing, and wishes to go to France.

Mrs. Hubert, a widow 29 years of Age, is in want of money. She has bills on the Republic of France; has also a large Estate in St. Domingo, but at present is distressed. If she can dispose of her Bills, she is willing to repay the money she may receive.

Mr. Hubert is about 33 years of age. He is an officer in the French service, and engaged in the cause of freedom.

Mrs. Hubert, his wife, is about 37 years of Age. They have a daughter about 8 years old. They wish to go to France, but are in want of money to provide for their passage.

Mrs. Decroeq is a widow about 50 years of Age. Is sickly, and in want of money, &c.

Mrs. Chatele is a widow about 33 years of Age; has a child three years old. She is the Daughter of Mrs. Deiroeq, is sickly, in want of money, and wishes to go to France.

Mr. Clairford is about 46 years, who is very much in want of money.

Mr. Javain and sister, two orphans, one 20 and the other 14 years of Age. They have one thousand dollars at interest in this town, but the interest not sufficient to maintain them. Miss Javain wishes to go to France.

The above is a list of the French Emigrants from St. Domingo, in and near this place, & as I am informed, I believe to be a Just statement.

Given under my hand at Alexandria, the first day of February 1794.

DENNIS RAMSAY, Mayor.

P. ——— TO THE HON. HARDIN BURNLEY. 1794.

mmends Nelson Crawford, Alex. Stuart, and Francis James as Feb. 1st
for collection of arrears of taxes in Brigade districts, of which Lynchburg
ell and Amherst form parts.

STEPHEN COOK TO THE GOVERNOR. Feb. 1st.

iting appointment as agent for collection of arrears of taxes for Cumberland
e district, of which Cumberland forms part.

Woodson and others recommend Stephen Cooke as agent for
on of arrears of taxes in Brigade district, of which Cumberland
›art.

THOMAS VAUGHAN TO THE GOVERNOR. Feb. 2d

its appointment as agent for collection of arrears of taxes in Mecklen-
e district, of which Mecklenburg forms part. burg

RO. BROOKE TO THE GOVERNOR. Feb. 3d

mmends Lawrence Muse, as agent for collection of arrears of
›r Brigade district, of which Essex forms part.

ROBERT PORTERFIELD TO THE GOVERNOR. Feb. 4th

its appointment as agent for collection of arrears of taxes in Charlottes-
gade district, of which Augusta forms part. ville

RICHARD BIBB TO THE GOVERNOR. Feb. 4th

its appointment as agent for collection of arrears of taxes in the
e district of which Prince Edward forms part.

1794. EDMUND RUFFIN TO THE GOVERNOR.

Feb. 4th Prince George — Recommends Francis Ruffin as agent for collection of arrears of taxes in Brigade district, of which Prince George forms part.

Feb. 4th ANDREW RONALD TO THE GOVERNOR.

Richmond — Permit me thus to address your Excellency and the other honorable members of the Executive on behalf of Mr. Andrew Donald, who being at a distance from hence himself, has confided his interests on the present occasion to my care. This young gentlemen who came into this county about three years ago, and soon after his arrival from Glasgow became a citizen of this Commonwealth, is the oldest son and heir at law of William Donald, deceased, who was the brother and heir of James Donald, heretofore a resident of Bedford county, but who is now also dead. Since Mr. Andrew Donald's arrival, he has sold to Mr. Robert Craig, merchant, in Manchester, two half acre lots of land in that Town, to which he supposed himself entitled as heir to his late Father and Uncle, upon which Mr. Craig has since erected some very valuable buildings, but both these gentlemen have lately been much astonished and alarmed at an advertisement by Jesse Cogbill, Esq., Escheator for Chesterfield County, notifying the Public that those two identical lots would be sold on the 10th day of this month, in virtue of an escheat and office found in favor of the Commonwealth; whereas, upon an examination of the Inquest taken as long ago as the year 1777, upon the Estate of James Donald in the county of Chesterfield, it appears that altho' he was found by the Jury to be a British Subject, and to be seized of two lots in the Town of Manchester, yet that their identity is not ascertained in any measure whatever, and consequently that as fair purchaser for a valuable consideration, not even Mr. Donald himself ought to be effected by such a finding, which cannot in my humble opinion Justify the Escheator in selling the property. But be this as it may, the confidence reposed in me, making it my duty either to attend the sale, or to prevent it by an application to a Court of Judicature, if in my power, and the present circumstance of the Communication between this place and Manchester being cut off by means too well known to need a description, it is not permitted me to attend on the day of sale or to obtain the necessary documents from Mr. Craig and Mr. Donald to authorize my application to a court of equity. For these reasons and for others which might with truth and propriety be assigned, I presume to sollicit from your honorable board an order for suspension of the sale of the aforesaid lots until some more distant day.

I am with every sentiment of respect, &c.

MELCHIZEDECK SPRAGINS TO THE GOVERNOR. 1794.

Soliciting appointment as agent for collection of arrears of taxes in Brigade district of which Chesterfield forms part. Feb. 5th Manchester

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THOS. YUILLE TO THE GOVERNOR. Halifax

Recommends ——— Spragins as agent for collection of arrears of taxes for Brigade district, of which Halifax forms part.

JOHN CROPPER'S COMMISSION. Feb. 5th

As agent for collection of arrears of taxes in Brigade district, of which Accomack forms part. Richmond

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A. LEWIS TO THE GOVERNOR. Feb. 5th

Only fifty-six of my company are yet mustered, scouts and non-commissioned officers included. The recruiting business has become difficult, owing I believe in a great measure to the troops not receiving their money for the last year, which obstacle I hope will soon be removed, knowing the Executive will so soon as in their power forward their pay. An Ensign and twenty men are march'd to Powell's Valley. The residue will be continued at or in the neighborhood of Fort Lee during the winter defence. Twelve scouts are more than necessary to act in Capt. Crockett's Bounds. Powell's Valley requires attention, and shall direct two out of that number to be sent there untill the troops destined for the Summer Defence are in Service. Wythe County

I have the honor to be, &c.

JOSEPH CARRINGTON APPOINTED COLLECTOR. Feb. 5th

Appointment as agent for collection of arrears of taxes in the Fourth Brigade district.

JOHN HOPKINS TO THE GOVERNOR. Feb. 7th

I have the honor of transmitting enclosed a letter from the Commissioner of the Federal City, which was sent to me by the treasurer in Richmond

1784. Feb. 7th

[illegible] letter of the 31st ult. The Gentleman has instructed me to ask payment from the State of the President's draft for the last instalment to the Federal City and in the manner directed that if the treasury is in such a situation as to prevent a payment it should issue thence, to request a Draft on the Secretary of War for the sum of twenty thousand Dollars. I have to be favored with the determination of the council, in order that I may communicate the same to the Treasurer.

I have the honor to be &c.

Feb. 4th

JOHN MCCLURE TO THE GOVERNOR.

Richmond

I considered it my duty to arrest Lieut. Joseph Biggs of my company of volunteer militia on the charges which I have the honor to enclose. I immediately made a report to William Lowndes, Esq., as commandant of the militia in actual service in expectation that he would Direct a Court Martial.

I have the honor to be, &c.

1st. For Disobedience of orders in not firing on the Enemy.

2dly. For retreating in a disorderly manner and leaving a part of your men without notice of your retreat.

3rdly. For behaving unbecoming an officer or soldier in giving wrong information about the number of the enemy when I met with you.

4thly. For throwing away Kettle in the retreat contrary to order.

Feb. 10th

ROBERT TAYLOR, MAYOR OF NORFOLK, TO THE GOVERNOR.

Norfolk

My situation here compels me to be troublesome to your Excellency. You will observe by the enclosed letter which I received two days since from the British Consul that it is his wish to get your advice on the duty of the magistrates in aiding him in the Execution of his office. I am pleased at his request, as the opinion of the Executive will be conclusive, and prevent any further disputes with him in any Business that may occur on the subject of the British Seamen in this Port; and as frequent applications are made to the Magistrates, you will oblige them by forwarding your opinion as soon as convenient. Allow me again to mention the distressed French to you. The commissioners are totally without money, and as these poor people from habit trusted to the weekly allowance for support, and had taken no precaution against its not being paid, when stopped, had no resource to keep them from starving. The Commissioners were therefore under the necessity of applying to the Common Hall, who generously lent them all the money they had in their Chamber, to be repaid out of the first to be received from

1794. Feb. 10th

the Treasury, but as this sum was only one hundred pounds, and their weekly Rations amounts to near fifty, I fear they will again be without any; and as I imagine the present situation of Richmond may prevent the Sheriffs from the upper Country paying, and as perhaps those of this or the neighboring counties may have money to pay to the Treasury if it was permitted the Commissioners to receive it, and to draw on the Auditor, it would be a means of relieving those unfortunate people. The ship Normandi left this Port on Sunday, the 9th instant, it is said to proceed with the other French Ships of war to Annapolis. The Doedalus appears to be preparing for sea. I am happy to have it in my power to report to your Excellency that the behavior of both the French and English officers and the crews of the Ships has been hitherto peaceable and proper, and that they have in no instance within my knowledge insulted or infringed the neutrality of this Port.

I have the honor to be, &c.,
Sir, y'r ob't Serv't.

Norfolk, February 9th, 1794.

SIR:

I greatly hope that no dispute will ever arise between you as Consul to his Brittanic majesty, and the magistrates of this Borough respecting the British seamen in this Port, for while I am happy in observing that you have ever appeared anxious to avoid it, I can, I think, with justice say that the magistrates are equally intent to prevent it, and that I am sure they will always in the Execution of your office assist you in the manner they conceive it be legal and proper, but as doubts have arisen respecting the limits and extent of your authority, I am pleased that you have addressed to me in your letter of yesterday Queries on this question, all of which I decline to answer, as they may lead to this subject, and on which I am not competent to decide; and as it puts it in my power by forwarding your letter to the Executive to obtain the Attorney-General's opinion, who will, I'm in hopes, in answer to your Queries draw the line of your office and the duty of the magistrates in assisting you in the Execution with so strong a hand as to put every matter that might occasion discussion with you out of dispute. I imagine that it will not be in my power to write the Governor by this Post, but I will most certainly forward a copy of your letter to him by the next, and so soon as I am favoured with his answer, I will take the earliest opportunity of communicating it to you.

I have the honor to be, &c.,
ROBERT TAYLOR, Mayor.

P. S.—The Constables that had the British Seamen in custody yesterday were, I fear, intoxicated, and tho. it is no excuse for their behavior,

1794. Feb. 10th and for which they deserve punishment, yet it will account to you for their impertinence and for allowing the man to escape.

JOHN HAMILTON, Esq.,
Consul of his Brittannick Majesty, Norfolk.

Feb. 10th Chesterfield Courthouse Jack, a slave, the property of Ralph C. Anderson, was convicted by the County Court of Chesterfield of administering poisonous medicines to William Cleborne and Sarah his wife, of the said county, with an intent to murder them. But the Court are of opinion, unanimously, that the said Jack is an object of mercy, and do recommend him accordingly, which was ordered to be certified.

Present—Thomas Bolling, George Markham, Granville Smith, Edward Morley, and Thomas Bailey, Gent., Justices.

Feb. 11th

H. KNOX, SECRETARY OF WAR, TO THE GOVERNOR.

War Department I have had the honor of receiving and submitting your letter of the 1 instant to the President of the United States. The subject of fortifying the Principal Sea Ports of the United States, in which is included Norfolk, is now under the Consideration of a Committee of the House of Representatives, who it is expected will very shortly report their opinion thereon. From the prevailing sentiment little doubts seems to be entertained that a measure with which the peace, safety, and dignity of the United States is so intimately blended, will be adopted. The subject of a long continuance in our ports of vessels of war belonging to the belligerent parties had been previously considered, the result of which you will find in Mr. Jefferson's letter to Mr. Hammond, the British Minister, dated the 9th September last. It will appear that the Ships of war belonging to the belligerent powers, provided those at war with France do not bring prizes, enjoy an equality in our ports.

1. In cases of urgent necessity: 2d. In cases of comfort and convenience: and 3d. In the time they may chuse to continue. The case of the ships of war on opposite sides being at Norfolk, creates a delicate and dangerous situation for that town, which nothing can remedy so effectually as its being put in state of respectable defence. Indeed some information has been received by which it would appear that the Daedalus had fired a shot in a very unjustifiable manner. The President of the United States requests your Excellency's information upon this subject, properly attested, so that such measures may be taken thereon as shall appear proper.

I have the honor to be, &c.

A. J. DALLAS, SECRETARY OF COMMONWEALTH OF PENNSYLVANIA, TO THE GOVERNOR. 1794.

In obedience to an act of the General Assembly of Pennsylvania passed on the 22d day of March last, I have the honor to transmit to you for the use of the Legislature of the State in which you preside, a copy of the laws of this Commonwealth from the second day of October, 1781, to the 2d day of October, 1790, the receipt of which you will be pleased to acknowledge. Feb. 11th Philadelphia. Secretary's office

I am, sir, &c.

THOS. NEWTON, JR., TO THE GOVERNOR. Feb. 12th

I shall be exceedingly obliged to your Excellency if you will fix a uniform for the Artillery, and also the number each officer is to raise for his quota, without I doubt it will never be filled. The Capt. is sickly, and does not give much attention thereto. The time for raising their quotas, I think, should be short, that the sooner they are on duty the better. I beg your Exc'y will send some of Baron Steuben's treatises, the few we before had were distributed to the officers then in commission, most of whom are gone from this, and the books are lost; & instead of three companys which then existed, we now have seven. We have some military stores on hand which have not been paid for, & which I am liable. Would it be Justifiable to pay for them out of the fines, and also to build a shelter for keeping the Artillery in, which could be done & so contrived as to serve for a Guard House? These things are absolutely necessary, and should be provided, as they will be of great saving to the public, and the men would more cheerfully turn out when they had a place of shelter to retire to from duty. At present they are exposed, or must go to a Tavern where they get drunk, and are rendered useless. Y'r Exc'y will excuse me for mentioning these matters, but I hope some mode may be pointed out for obtaining them. The militia law has not provided for such purposes, but it is reasonable that they should be had by some means, and I beg y'r Exc'ys opinion thereon. I enclose a recommendation of officers, which I expected was before sent. The commissions are much wanting. I will thank your Excellency to point out the law where the militia are to be called on by the civil magistrate. We have ever considered it a duty to obey the call, but should be glad to see the law Justifying it, which I am ignorant of at present. The Constitution directs in all cases the military shall be under strict subordination to the Civil, but does not define thereon. Norfolk

I am, &c.

1794. A. LEWIS TO THE GOVERNOR.

Feb. 17th Fort Lee

Enclosed is the copy of a letter from Col. Charles Cocke to me on the 19th this instant. I march from this place with what troops can be spared, am in hopes to be able to go from the lower station in Lee county with between forty & fifty men, and indeavour to make the Enemy shift their quarters, for as certain as they are allowed to compleat their hunt there, when ready to go home our frontiers must suffer by them either in lives or property. The party will be too weak to continue any time in the Enemy's country, but hope to have the advantage if any to be taken, and make use of every effort in my power to prevent surprise on our side. If the Northwards are amusing Gen'l Wane with the prospects of a Peace, our frontiers will be in great danger untill a peace is confirmed, for a great many of them will be averse to any Treaty that may be proposed, & those that are unfriendly disposed will so soon as they can leave their own country with safety, fall on our frontiers, with an expectation that the Southern Indians will be blamed for it. My Company is not yet compleat, and find it difficult recruiting, owing to what I mentioned in my last, but as well as I recollect, I made a mistake in my information to you of the number mustered—inserted the number 56 instead of 66. If I did, the latter is the number then mustered, including non-commissioned officers, scouts, & one musician.

I am with respect, &c.

Lee County, February 9th, 1794.

I undertake to inform you that the first Day of this month the Indians came within about 15 miles of my house and stole 50 head of horses. They were followed, and the men saw so much sign that they came back & were reinforced, & is not yet returned. We are informed that John Watts has made his Boast that he will make the Blood run in Lee county as the Branches does with water. Ensign Colville arrived yesterday. I have, according to his orders from you, directed him to the Sinking Spring, which is the best place in that quarter, and it is within five or six hundred yards from the county line. If you do intend to make a change as you informed me, I have made it known in Lee county, and have got the promise of some good men to go. The Indians now are in the woods between Cumberland and the Tennessee. I think if they are not drove from that place we shall have bad times here this Spring. I hear that the Northwards want peace, which makes me more afraid, for all the Indians that mean mischief will be on the Frontiers. I would be glad you would come down. I wish to go one Trip with you on our Frontiers. I make no doubt but we shall

meet with game enough in two or three days. They say they are plenty in that Bounds. 1794. Feb. 17th

I am, Sir, your most humble Serv't,

CHARLES COCKE.

To A. Lewis, Fort Lee.

W. H. CAVENDISH TO THE GOVERNOR. Feb. 17th

As I had determined to act with the utmost impartiality in discharging the trust reposed in me in letting the furnishing of rations to the troops stationed in this and Kanawha Counties this present year, I shortly after my return home set up advertisements in those counties of my intention of letting the same to the lowest bidder, at the upper ford of Gauly River, on the 10th instant. I attended accordingly, and found several persons of Kanawha County assembled for that purpose, who made proposals of undertaking the Business on the following terms, viz: John Vanvibber, at 12½ Cents per Ration; John Rennolds & Allen Prior, @ 10 cents; and Reuben Slaughter, at 9 cents p. Ration. As I had expected the imminent danger to which they are exposed in that county would have induced them to undertake on the lowest terms. I was surprised to hear the increased price from what it was furnished last year, and thereupon informed them I could not close with any of their proposals, as I was certain Government would expect to be furnished as cheap, if not cheaper this year than last, it having contracted for the supply of the troops in Ohio county at 7 cents the ration. Accordingly, I returned home without affecting any part of the intent of my Journey. Greenbrier

Upon inquiry, I find many causes assigned which concur to account for this rise in the demand. The contractor for last year has exhausted all the live stock which could be had in that county, so that they must be supplied with that article from Greenbrier. Flour, which last year could be had at 3½ dollars, now sells at 5 dollars ℔ Barrel; and every other article is advanced in so great proportion, add to which the attention paid by the Executive to measures, in which persons employed by it discharge their duty, they are convinced government will expect that the person punctually comply with this engagement. That the troops be well and regularly supplied, and that it would not wink at the neglect or remissness of persons employed in that department. And indeed the manner in which the soldiers were heretofore supplied with provisions put it out of the power of the most active officer to have rendered any essential service had it been wanted. The soldiers were almost all quartered with the Inhabitants, who furnished them as their own family, and if any party was wanted to scout, seldom had any provisions on hand to furnish the necessary supplies for that occasion. As

1784. Feb. 17th

the increased demand for Rations was so considerable I thought I could not Immediately enter into any engagement without first informing your Excellency who perhaps might find some other way of having them furnished on cheaper terms. The difference in the amount of furnishing even at the lowest prices will exceed that of the last year at least £120. which is a sum too great to have given me the liberty of first acquainting you thereof, but perhaps I might incur the censure of wantonly dissipating the Public Treasure already too much. The letters which you intrusted to my care I sent to the persons addressed by the bearer, to whom I gave five dollars for his trouble. I believe the instructions contained therein have been complied with. I hear scouts were immediately after the receipt sent out. Perhaps it may not have reached you Information I received when at Gauley River from some persons immediately from Point Pleasant. They informed me that General Wayne had by a rapid march advanced 24 miles into the Enemy's Country, and was strongly fortifying his camp. I most fervently wish him speedy success, otherwise I am afraid of seeing former times revive when Government was obliged to give individuals what they pleased to ask for their service, and the Community burdened with enormous taxes to discharge the debt. As the subject matter of this letter respecting Rations appeared of too much importance to have concluded without first informing you of the rise in the * * * so I hope it will Justify my sending the bearer solely with this letter, and that he will be paid the usual allowance given to persons on like occasions.

I am, Sir, Your Excellency's
Most Obt Humble Servant.

Feb. 17th

DAVID PATTERSON TO THE GOVERNOR.

Manchester

It is represented to me this day that the peace and good order of the Inhabitants of the Town of Manchester & county of Chesterfield will be interrupted from the appearance of armed men, and other information to strengthen their suspicions. Is it your opinion from this representation that I shall order out any part of the militia of the county? I shall strictly pursue your instructions.

Y'r mo. obt Serv't.

Feb. 18th

PHIL. W. FENDALL TO THE GOVERNOR.

Alexandria

The Directors of the Bank of Alexandria from a desire to accommodate the Commonwealth, have agreed to receive the £1200 int. money, and £300 German Gold, mentioned in your letter of the 11th instant;

the former at one hundred and six cents p. pound, and the latter at seventy-five cents p. pennyweight, and upon receipt of the money in the Bank, I am directed to issue post notes to the amount at sixty days' date. If these terms are agreeable, you will please to forward the money as soon as convenient. 1794. Feb. 18th

I have the honor to be, very Repectfully,
Y'r ob't serv't.

The bearer will be so good as to state to me the loss which the C'th would sustain by the acceptance of the above terms.

H. LEE.

JAMES BRECKENRIDGE TO THE GOVERNOR. Feb. 18th

Bonds of Captain Bowyer and John Taylor as agents for collection of arrears of taxes in Brigade district, of which Botetourt forms part. Fincastle

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REGULATIONS OBSERVED BY THE INHABITANTS OF MANCHESTER PREVIOUS TO THE 17TH INSTANT. Feb. 19th

A Guard consisting of six men, whose duty was to patrol from the foot of Mayo's bridge to Rocketts, or any other place where they might apprehend a communication from Richmond.

Regulations observed the 17th & 18th Inst.—A Guard of 12 and 15 men, the officer included, stationed at the foot of Mayo's Bridge, to prevent all communication with the Inhabitants of Richmond. Persons on either side permitted to meet with the Guards to transact Business; Travellers allowed to pass the Guard whose intention was not to stop in Manchester, and promising to pass the back street of the Town.

Persons recommended to the Governor—

William Smith, Richard Baugh, & Jos. Brown.

DAVID PATTESON, L. C. C.

MANCHESTER REGULATIONS CONCERNING SMALL-POX. Feb. 19th

HENRY LEE, ESQ.:

We the subscribers, Inhabitants of the County of Chesterfield, request that the Executive would proceed to appoint Manchester

1794. proper officers (under the Act of Assembly of 1793) to superintend the
Feb. 19th performance of quarantine in said county—

Magistrates, Bernard Markham,
David Patteson,
Reuben Austin,
Benj. Hatcher,
James Brander,
George McCreedie,
James Patteson,
Henry Elliott,
Joseph C. Brown,
Rich'd Baugh,
James Frazer.

Feb. 19th

R. QUARLES TO THE GOVERNOR.

Barracks

I wrote to you some short time past & suggested the propriety of procuring brass mountings for our muskets instead of Iron. At the same time I dropped a line to Mr. Taylor, the Brass Founder in Richmond, in order to ascertain the price of that article. He has consequently made his calculations, and has taken the trouble to ride to this place in order to engage the Business. I confess the man appears to use much candour, and from his calculation as well as my own, I think offers to do them for less than we can possibly have them made in that metal in this part of the world, & for about one-half the price they will cost us made here of Iron. He says he will furnish the various articles of the mounting at the price of four shillings per sett, and will engage to furnish them at the rate of three hundred setts per month. If you think proper that I should close with him, you will do me the honor to mention it.

I am, sir, with respect.

Feb. 20th

WILLIAM RUFFIN TO THE GOVERNOR.

Fredericksburg

I have the honor, in behalf of Mr. Brooke, to acknowledge the receipt of your favour of the 19th Instant by Express, & beg leave to assure you that he would have answered your letter of the 7th instant earlier than he did, had he not have been so much engaged in his other avocations, added to which he has himself been very much indisposed; indeed he was so much so, that he was apprehensive he would not be able to perform the Journey untill the day or two before he left home, He set off for Frederick county yesterday morning, & will, if possible. comply with all your requests, by attending the three inquests of which I presume he has informed you.

I have the honor to be, &c.

MOSES MANN TO THE GOVERNOR. 1794.

I have reason to supose that my instructions may have been miscarried or otherways Destroyed In consequence of their not coming to hand. Also a report have been serculated in the Kanawa country By Moris & Clendenin that I am not to have a command there. I at this time have my men nearly in Redyness. Agreeable to my verbell instructions I find myself under pressing obligations to pray for my instructions to be forwarded by the Bearer, which will be of Imaculate service to me, & remove the doubts of those of my soldiers who are now living in state of suspense. I find myself under obligations to inform your Excellency that I soly detest Receiving instructions from Colo. Clendenin, but prays that I may be commanded by Col. Thomas Lewis whilst your Excellency pleases to continue me in service. Feb. 21st Warm Springs

Your Excellency will please to point out the place of Rendezvous, & by whom to be mustered. My men are chiefly Inhabitants of Bath county, under which sercumstances I should be extremely happy to Rendesvousing at the warm springs.

The paymaster has not come to hand, which occations numbers of my men to murmer. Their sercumstances in General are very low, & their demands very pressing for money to support or prepare them for the next campaign.

I shall refer you to the Bearer, who can give you a better information of Clendenin's & Morris's conduct in serculating Reports that I conceive to be injuris, and at the same time void of truth.

I am sir, with due Respect,
Your very h'ble serv't.

JOHN MINOR, JR., TO THE GOVERNOR. Feb. 21st

I have honour of acknowledging the receipt of yours of the 7th instant, and the pleasure of informing you that Mr. Brooke has paid due attention to the communication of the Executive. He left this place in the beginning of the present week for Frederick county to attend the Coroner's inquest in that county, and will no doubt be present at those in the counties of Fauquier and Shenandoah. I feel myself well pleased that the charge has devolved on him, as his known abilities will enable him to do more Justice to the appointment than I could have done. I beg leave, sir, to thank the Executive for their confidence in me, and to assure them of my ready complyance, had it been necessary. Fredericksburg

I am, dear sir, with Esteem and respect,
Y'r most ob't serv't.

1794. EDMUND HARRISON TO THE GOVERNOR.

Feb. 22d Asking to be excused from attendance at Board meetings on account of family affliction.

Feb. 23d THOS. NEWTON, JR., TO THE GOVERNOR.

Norfolk I rec'd your Exc'y's letter of the 20th, and shall now endeavour to recapitulate what my last letter contained, as from my indisposition, & the past going of, I did not keep a copy. I requested a particular time should be fixed for the officers of the Artillery to raise their quota of men. If this is not done I fear it will not be effected, as some of those appointed are not approved of by the people. This I beg may be attended to as soon as convenient by the Executive. I inclosed a recommendation also of officers, of which a copy was before sent, and I have at hand. Their commissions are much wanted. I also requested to know in what manner the militia were to act if called on by the civil powers. I am glad to hear there is some probability of soon getting a defence here. It will be an effectual means of keeping good order. About this day three weeks, Capt. Knowles had some company on board the Doedalus, & in firing a salute some small shot were left in one of the guns, & were thrown on the shore, but did no damage. An enquiry was made into the case here by the Mayor (who was on board) and every circumstance that I have heard, there was no reason to believe the shot were intentionally left. As the Capt. had given orders to draw the Guns, the Post is Just setting off, and your letter arriving so late that I have time to send other proofs of this affair, but will collect them to-morrow and send by next post. Be assured that I shall give your Exc'y every information of interest or information that may happen here, considering it my duty so to do. I have the Business of defence so much at heart that I will with pleasure undertake to do anything toward forwarding it, and I think I could procure all materials at a moment's warning towards effecting so desirable an end. I have heard that the people of South Carolina have it in contemplation to subscribe for a frigate to give Congress. I think if a subscription was handed through this state we should raise sufficient for one also, & we could soon build here at this place. Some of our townsmen are carried into Algiers, which we feel much—Capt. Wallace and Crew. The Captain has a wife here, & I believe only one child by a former wife. I have not yet learnt who his mate was and the others of the crew. I thank God I have got about again, & hope soon to get over my late illness. I thank your Exc'y for your good wishes, and am

Your Excellency's ob't serv't.

I requested some of Baron Steuben's Books and the Militia laws to distribute to the officers. We have now seven companies, and had but three before. 1794. Feb. 23d

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THOS. NEWTON, JR., TO THE GOVERNOR. Feb. 24th

The enclosures will inform your Excellency the case respecting the shot or shots fired from the British Frigate Doedalus. That it happened accidental I have not a doubt, or by means of some person putting them into the Gun with a malicious intention, unknown to any officer on board the frigate. Tho' Capt. Knowles and officers think there was no shot, yet I have reason to believe there was, as two men declare they saw them strike the bank at the time they were saluting. I did not take their depositions as I considered it of no consequence, everything appearing that there was no intention of insult or injury from the Reports of the Gentlemen who were on board at the time. In justice to Sir Chas. W. Knowles, I must say I have ever found him disposed to observe the strictest neutrality. His letter to me is inclosed for your further information. Last night Captains James & ——— arrived from Italia & Monserat. They declared to me that they had rec'd a proclamation of the King of Great Brittain, setting forth that all vessels coming from the French Island with French produce on board except molasses and Taffia, agreeable to an edict of the late King of France, were legal prize as illicit traders. One of these Captains deposed to this effect, and the deposition is gone on to Col. Parker, as it concerns one of Mr. Cowper's vessels. I have had the misfortune of a box of plate being taken by a French Privateer (& carried into Gaudaloupe), out of the Sloop Diligent, Capt. John Cunningham, from Barbadoes, the same being devised to Mr. Norton and wife, Eliza Tucker, alias Eliza Faulkner, and to Mr. Newton and myself, by John Tucker, Esq., our relation, & sent by the above vessel. There was also seven barrels of sugar taken out of the said vessel, and landed in Gaudaloupe, belonging to my daughter Martha G. Newton. How to get redress I know not, and shall be obliged to your Excellency for your opinion thereon. Mr. Norton was fortunate enough to get his share in safe. Captain Cunningham's letter to his owner will show your Excellency that it was taken out and lodged for proof. I shall be much obliged for your direction of the kind of cockade the officers, &c. are to wear, as almost every one at present differ, being according to their fancy, which I think is not right, and requires as much uniformity as the cloathing. I know not what supplys the State may have of powder. Our magazine is much exposed and not above 2,500 lbs. in qr. therein. I have enclosed another recommendation of officers, least your Excellency should not find the one before sent. A fine ship now lies in our harbour peirced for 22 Guns, Norfolk

1794. Feb. 20th

which I wish we had money to buy for public use. I believe we have very few citizens but would contribute largely towards putting their country in a state of defence, and I wonder much Congress does not lay some tax for it that it may be done expeditiously. Mr. Taylor desired me to inform you that he was unable to write from a stroke of Rheumatism, and requested me to inclose the letter to him to your Excellency. Common report says that the British are buying large quantities of Pork & shipping it to their Islands. I hope in your next to hear of some preparation for our defence. Two of those large peices that were at Cumberland would do well at Old Point Comfort.

I am, &c.

I have received the Commissions, but think Major Graves, whose Commission was first, should take rank of Major Ramsay.

Feb. 24th

James Hayes to the Governor.

Richmond

A late, perhaps unfortunate incident, having happened with respect to an armed party illegally assembled, as it is conceived at the foot of the Bridge on the Manchester side, and myself, but whose powers in no instance on my part were scrutinized into or brought to the test until the injury committed on my person and property may possibly however have given rise to misrepresentations to your Excellency, whose good opinion as well as even the most trifling individual of the community would be extremity. I have taken the liberty of stating no more than the following absolute facts, and if in this detail I may be thought troublesome, I hope the peculiarity of the situation which I am in, will in the sequel be some apology. I will then begin with stating to your Excellency, however foreign it may be thought to the subject, that situated as I was between the two towns, I considered it as most prudent and safe to coincide with the measures of Richmond relative to the small-pox. Accordingly I moved my family over on Saturday, the 25th ult., in order to avail myself of that benefit, in the doing of which however it was certainly my duty, my care, and my wish, both before my removal and after, to prevent the smallest offence being given to the place from whence I came, which was complied with, and if I unfortunately differed in sentiment with some, I can aver that neither myself nor family (altho' it was frequently the case with others) ever attempted to enter the Town from the commencement of the disorder. My supplies for the use of the family tho, were necessarily brought over from my own plantation in a Canoe out of the Jurisdiction as it is supposed of the self created guard placed there, notwithstanding that Canoe had been taken away from the landing place and found under the eye of the Manchester Guard. This conduct, however strange, was passed

over, but not content as it appeared with such behavior, a couple of negro men from the plantation, desirous of seeing their fellow-servants, but who had had the small-pox several years ago, came over, and on their return were taken by a Guard, placed upon the Falls plantation, who lay in ambush for them, and arbitrarily carried to that at the foot of the Bridge in Manchester. They were there cruelly treated, one in particular, by Thomas Goode, who after having beaten him in the most violent and inhuman manner, turned him over to Richmond. With apparent difficulty from the severity of the treatment he received, he reached there—the previous loss of blood, and what was streaming out of his ears, nose and mouth, which can be proved, rendered it without exaggeration somewhat astonishing. A conduct like this in a civilized Country was so strange and unjustifiable as induced his master upon complaint being made to him, immediately to inquire into the particulars, and if possible to find out the perpetrator that he might be brought to such punishment as the laws of the land would decide. He accordingly applied to Mr. Younghusband and four others to attend him as witness to what might happen upon this investigation, and altho' its true they were armed, yet it was agreed upon by the party previous to leaving Richmond not to offer the smallest violence, to act only on the defensive, for from what had happened to the poor negro, we did not know if we did not go armed what injury we might not sustain ourselves. In order if possible however to convince that no hostility on our parts were intended, I approached unarmed and singly at some distance from the rest of the party, and called out for the Captain of the Guard. Mr. Goode at length appeared, upon which I complained of his treatment to the negro. He avowed the doing it, and further said he would act in the same manner were it to do again. I then informed him that I should prosecute him for it. His reply was too vulgar, and is perhaps unnecessary to insert here. Having obtained this proof, which was my sole object, it was our intention to return, but before it could be effected, Mr. Goode called out vehemently for the Guard to turn out and put every man to death. A scuffle then ensued; the result was that three of us were taken, and after a good deal of severity, repeated insults, threats and even orders from Goode in this particular situation to be put to death, we were detained all night upon the Beach. We then underwent a trial before the magistrates of Chesterfield, out of whose Jurisdiction we conceived and believe we had been taken. The Guard, it may not perhaps be amiss to mention, were allowed to be both prosecutors as well as witnesses. At length we were compelled to give our bonds in £50 penalty each, to appear at next Chesterfield court. In hopes that so extraordinary a conduct above recited, instead of being the cause of pursuing Tyrannical and unjust measures any further, would upon deliberation have at length produced reason & possibly a sight of Justice, in company with three of my acquaint-

1794. Feb. 24th

1794. Feb. 24th

ances I undertook to go to the plantation on the Friday following; myself upon business, the others to amuse themselves with their Guns, which I conceived I had a right to allow. No insult was offered, nor opposition made to our landing. On arriving at the House immediately thro' the plantation, Mr. David Patteson, imagining he had powers, came up to the Garden where I was busy, and forbid myself or any of my acquaintances from carrying a Gun in future, at least for the present, observing at the same time that perhaps I might be allowed the use of one, but it must be immediately from the House. It was not in my power, he observed at the same time, to grant that indulgence to any other, although on my own land of course those with me were forbid. This it must be confessed created a good deal of surprise on our parts, being in a country as we thought of freedom, but not knowing the law or the extent of his powers, we submitted, so far as to make the best of our way back in a peaceable manner. When in the pursuit of that amusement upon which some of the party came, one of them having separated from the rest, was taken prisoner by a Guard placed upon the plantation, on his way home, and actually carried to that at the foot of the Bridge. Missing him sometime, and expecting that he might meet with a similar, or perhaps worse fate, wishing at the same time to prevent any further disturbance, I thought it most advisable to make my escape in a canoe. A Guard it can be asserted with truth were absolutely dispatched after us, tho' for what reason, I am still ignorant. I must now before I conclude this lengthy, tiresome, tho' true account of what has lately happened, ask the favour of your Excellency for redress in the peculiar situation in which I am fixed, to define the extent of the powers of these Gentlemen to know whether I have not a right to pass to and from my own land, and to take whom I please, without being liable to insult, or to be dragged like a criminal before a lawless party. I ask these favours with the more freedom, sir, from a conviction that your Excellency will know upon investigation, should it be necessary, I have in no instance of my life ever deviated from the laws of the land, or ever been considered as a disturber of the peace of the community.

I have the honor to be, &c.

Feb. 24th

Meeting of Justices of Chesterfield County.

At a meeting of the Justices of Chesterfield County at Nicholas Giles Tavern in the Town of Manchester, on Monday, the 24th day of February, 1794, Summoned for the purpose of preventing the small pox being brought into and Spreading in the said county:

Present: Bernard Markham, Edward Mosely, Granville Smith, Thomas Baily, and John Hill.

1794.
Feb. 24th

It appearing that the small pox is at this time prevailing in the City of Richmond, and there are sufficient reasons to fear that the infection may be communicated to the Inhabitants of said County, the members present are of opinion that the Lieutenant Colonel Commandant be requested to order forth so many of the militia of the said county as may be sufficient to post Guards at the foot of Mayo's Bridge, Coutts' ferry, opposite Rocketts, and such other places as may be thought necessary to prevent all intercourse between the City of Richmond, and the said county, as far as the security of the Inhabitants aforesaid, and the peace and good order of society may require, and that the same be continued as long as real danger is apprehended.

BERNARD MARKHAM,
EDWARD MOSELEY,
G. SMITH,
THOS. BAILEY,
JNO. HILL.

H. CAPERTON TO THE GOVERNOR.

Feb. 25th
Greenbrier

Your Excellency no doubt ere this time is in possession of the sentence of the Court martial of the 12th December last. If any doubt remains in your mind Respecting any of the acqusations against me, you will please to order a Court martial and let me have the matter fairly investigated, at the last, many of my most valuable witnesses ware absent. Then if any frand is discovered in me, or the Commonwealth or any individual of my Company, I shall expect the law to be Executed, but on the contrary do trust your Excellency will protect me from all my Designing and prejudiced enemy's so far as in your power.

In my letter to you of the 18th January last, I informed your Excellency that Colo. Clendenin from his artful Deceptions to me, was the cause of things being done in the manner you find them, and can fully demonstrate the same if indulged with the opportunity, I, together with a great many of my fellow citizens, Do trust your Excellency will not let him pass with impunity. I should have been in Richmond before this only on account of the small pox.

I am your Excellency's
ob't Servant.

WM. DAVIES TO THE GOVERNOR.

Feb. 25th
Broadway,
Now York

The publication of the Report of the General Board of Commissioners (a copy of which is herewith enclosed No. 1), having at length pro-

1794. Feb. 25th

mulged the ultimate result of my negociations on the part of the State, it becomes proper as well as important for me to ascertain the Extent of the compensation I am to receive for my services, I wish to be neither tedious nor troublesome. I will avoid as much as possible touching upon the peculiar difficulties & Embarrassments of the Business, which in itself was of vast extent & complicated variety involving in it the Execution of laws & regulations as unstable as the occurrences of the war, and fluctuating with every change in the Legislative & Executive Departments—And which embraced the transactions of numerous Agents uninformed, irregular, and often uncontrolled, very many of whom were never brought to a settlement, nor even an office created for the purpose, and which, moreover, was obscured and mutilated by the devastations of the Enemy, rendering the attainment of evidence, for support or Explanation, a work of constant solicitude and painful research, a business enveloped in additional perplexities by the variety of persons who had undertaken and abandoned the task of preparing it. All of them acting under different regulations or possessing different views as to the mode of conducting it, & which had passed thro' all the periods of time allowed by law for its preparation & the accounts & Documents already in the hands of the District Commissioner before I was engaged in it, and which, notwithstanding was in so unfinished a condition, that I found a large proportion of papers still remaining to be stated, so that it became thro' necessity, one of the first objects of my agency, to avail myself if possible of some plausable pretext for objecting to the District Commissioners conduct, so as to Justify the State as well in detaining them as in claiming further time for their Exhibition. How fully this object was accomplished may appear by a referrence to the protest, which I presented to the Commissioner on his departure with the accounts & claims of the State, and the Report I made to the Executive on the occasion. With these Representations I Repaired to New York, and obtained a prolongation of time, having however, previously abstracted all the laws & regulations from the commencement of the controversy with Great Britain, that in any manner related to the subject of my appointment, and put into operation under the authority of Government proper measures for collecting from all quarters of the Commonwealth the best evidence to be had, with respect to their Execution. A mass of hetrogeneous matter as may well be supposed was thus brot. forward; which together with those papers which I had found unstated in the office, I was sedulously engaged in selecting and preparing when I received notice from the Auditor of the Treasury that from the extreme imperfection in which that branch of the Virginia claims appeared which were delivered to him by the District Commissioners, and by law were assigned to his cognizance, he could not with Justice proceed to act upon them. Shortly afterwards a large proportion of those alloted for the Commissioner of army accounts were thrown upon my hands as being either not stated or not properly

cognizable by him; And scarcely had we commenced business, after removing to Philadelphia, when the General Board found that from the mistaken principle which prevailed thro. the accounts taken up by the District Commissioner, the whole that had been done with him must of necessity be laid aside. Thus, to my very great chagrin, I found myself, time after time, plunged into new, unexpected & increasing difficulty, till at length the immense burthen devolved upon me of preparing and exhibiting almost the whole of the account, which, in the end, was accomplished, to an amount of more than twenty Eight millions of dollars (see No. 2). Your Excellency may form, perhaps, some idea of the anxiety of my mind under these perplexing circumstances, embittered with the reflections of my own responsibilty, and of the little time that remained within which the business was to be completed. In the most critical stage of my Agency, with my feelings all alive to my situation, I received notice from the Executive that my salary should be reduced. Having thus briefly mentioned the extent of duty which I did actually perform, it will now be proper to enquire, What, by my contract with the Government, I was bound to perform? By Referring to the Enclosed Extracts (No. 3, 4,) it will appear, as it must also be within the recollection of several members of the Executive, that my engagement was solely to act as counsel, and my duty to explain and support an account already stated, or nearly so—a duty of itself of high importance, as all the papers of the Committee of safety, the Council, the Board of war, Board of Trade, State Agents, Navy Board, Commissioners of the Navy, Auditor of Accounts, as well as all the reports and returns from the various County Lieutenants, Commissioners of the provision law, Commissioners of the Specific Tax, and a great variety of subordinate Agents, prior to the fourth of January, 1781, were destroyed by Arnold, and of course the evidence to justify the charges must of necessity be indirect, Collateral, and to be gathered only by laborious research among detached remnants of the records of the several departments, and by attentively perusing and abstracting the laws, the Journals of Assembly and of Congress, as well as the communications of the Executive, the Commander-in-Chief and Commanding Officers within the State to the President of Congress and Continental Board, and by a reference from one to another, so to combine the evidences as to supply the want of direct testimony. This, and to attend the examination of the account in its progress thro' the offices of the United States, were the proper duties of my appointment; and these I faithfully fulfilled, as far as the unforeseen embarrassments with which I was surrounded would admit. Early after I came into office I found reason for objection to the mode which was adopted in the exhibition of the claims, but so far was it from being understood, that I was bound to *state* them, that it became a matter of special reference to the Executive (No. 4), Whether I had any power of control at all over the man- 1794. Feb. 25th

1784. Feb. 25th.

ner of doing it. For, in truth, anxious to terminate the business advantageously for my country as well as honourably to myself, I was not disposed, under cover of my contract, to decline any fatigue where I could be useful. I set no other bounds to my exertions than those of the interests of the State. In the midst, however, of these, my exertions, far beyond the obligations of my engagements, and while I was thus zealously laboring to surmount difficulties to which I ought not to have been subjected, I received notice from the Executive that my salary should be reduced. But these were not all the circumstances which marked this resolution of Council. It passed at a time when I had just been exposed to the unexpected experience of removing with my family from New York—an expence which most, if not all, of the public officers of United States were reimbursed for: it passed when the price of every necessary of life in Philadelphia had greatly risen and was still rising, and when both Congress and the Assembly of Pennsylvania were making additions to the salaries of their public officers. What other States allowed their Agents I never understood, except that North Carolina, which, for a time, employed two, gave £1,200, and Pennsylvania £800 per annum, of their respective currencies, tho: the difficulties of their offices were trivial compared with those of mine: indeed, the Agent of Pennsylvania had not occasion for a single clerk, the whole business being prepared by the Comptroller. Such was my personal & relative situation when I received notice from the Executive that my salary should be reduced. I leave your Excellency to Judge how dishonored I felt myself by this communication. Whether it was the effect of misrepresentation, in the consciousness of my own deserts, I have disdained to enquire, but I could scarce view it in any other point of light than as an expression of the desire of the Executive that I should relinquish the business, and had I been governed by my own feelings, I should have done so, but when I reflected upon the peculiarly embarrassing situation in which it then stood, that if I then abandoned it, it could never be accomplished, nor indeed within the time limited by law, even understood. I foresaw nothing but immense loss to the State on the one hand, and the consequent, tho: undeserved, indignation of the public against me on the other. I therefore determined to continue, should the executive so far relax from their hard resolution, as to enable me to do so without positive loss, persuaded that when my engagements were compared with my exertions, and their ultimate result known, a regard to Justice and a conviction of the faithful discharge of my duty, would finally induce them to rescind their determination altogether.

But, sir, I do not rely only upon the merit of extra service only for my claim to the whole of my original allowance, but I ground it upon footing of a positive contract, binding upon the Executive. It was not an employment for which I solicited. I did not know that such a business was in agitation till I was honoured with a request to undertake it,

with the promise of a compensation satisfactory and honourable (No. 5). After examining into the nature of it, I agreed to attempt it, provided a proper compensation was previously assured to me (No. 6). Col. Heth, on the part of the Executive, then conferred with me on the terms on which I would engage, and the subsequent resolution of Council of Oct. 2, 1788 (No. 3), was drawn up conformably to our agreement. These facts must be recollected by several members of the Honorable Board. In consequence of this engagement I entered upon the duties of my office, bound on the one hand to perform them with fidelity, and entitled on the other to demand the punctual and full payment of my stipulated allowance. The executive had the power at their pleasure to displace me, and it rested wholly upon their estimation of my services Whether I should receive an additional Reward; but in other respects the obligation was reciprocal, and while I was their servant, I was entitled to my wages. No argument can be drawn to the contrary from the unequal condition of the parties. In this enlightened land, neither station, dignities, nor power constitute right, nor can any inference unfriendly to my claim be derived from the long continuance of the Business. No limitation of time was either expressed or implied in my agreement with Government; a period sufficient for its completion and no more was in our mutual contemplation, and if that period was erroneously estimated by either, or by both, it still could not vitiate the agreement betwixt us, much less solve the one and yet hold fast the other. Especially, too, when its unexpected duration was more than counterbalanced by unexpected difficulties, furnishing full as strong a plea for an increase of salary as for its reduction. But the continuance of this Business was not dependent upon my choice, nor the result of my misconduct. Upon what principle then should it be converted to my disadvantage? It is true, indeed, I might have availed myself of the impatience which I knew existed for its conclusion, and by a partial exhibition of the exertions of the State saved myself a great deal of trouble and fatigue, and have been at least secured against the possible suspicion of an unnecessary protraction; but I should have done it with the sacrifice of some millions of dollars, and, after all, the objects of the sacrifice would not have been obtained, for this prolongation was not peculiar to Virginia. The accounts of Maryland & North Carolina, tho: comparatively simple, were completed but about the same period as ours, and those of Pennsylvania not long before. Indeed, so little had the States South of New Jersey the lead of us, that the Agents of all of them, except the one from Delaware, whose proximity of residence enabled him to attend as occasion required, remained in Philadelphia till the termination of the Business. Of all these persons in this particular similarly circumstanced with myself, I am probably the only one, allow me to remark, who met with the mortifying distinction of a reduction of his salary. With these impressions upon my mind, I con-

1794. Feb. 25th

1794. Feb. 25th

ceive that I am not giving offence to the Chief Magistrate of a free people. when I contend for my rights. Tho: an humble individual, they are as sacred in the eye of Justice as those of Government. Under the stipulations of my contract. I ought not to have been brought down to a precarious dependance upon the bounty of the Executive, who by the first act of reduction might have drawn a precedent for a second, and perhaps a third. the nearer the business approached to an end. No charge of misconduct has been alledged against me. If there is any, I am able to refute it; if there is none, let it not be deemed disrespectful that I insist for the whole arrearages of my salary. conformably to the terms and spirit of my original engagement.

I have enclosed my account (No. 9), and feeling as I do the consciousness of an unceasing devotion to the interests of my country throughout the whole of my arduous employment. I cannot persuade myself it will be rejected. How far I may be entitled to additional compensation, agreeably to repeated assurances, both written (No. 3. 5, 7, 8,) and verbal, must depend upon the sense the Executive entertain of the merit of my services. I have already expressed that much more was found necessary to be done than was expected, but in fact it is impossible in any representation to convey a tolerable idea of the many difficulties I had to encounter in so extensive a work, where everything was to seek, to arrange, to amend, or to compleat. A view of the general account current (No. 2) as presented by me to the Board of Commissioners will perhaps afford the best exhibition of the various nature of the claims, the diversity of the materials from whence the charges were abstracted, and the number of books and separate subordinate accounts in which they were comprised. A little attention will shew that a very large amount particularly of the 3rd and 5th General divisions into which I classed the accounts, were chiefly, if not entirely, abstracted from documents not to be found, or which had not been acted upon in the public offices of the state, but which I was induced to seek for, from my personal practical acquaintance with the arrangements & transactions which took place during the war, and which I could only have obtained by laborious researches among the files and records of this and the United States, or by the Collections & Enquiries which were made thro' the country under my direction. Thus the greater part of the specific tax for the year 1780 could only be ascertained by the evidence of some loose notes gleaned from a bundle of miscellaneous memorandums of Mr. Jefferson's during his administration, which his indulgence allowed me to inspect. But it would be irksome to descend to particulars. I shall therefore specify but one example more, and that because it does not appear in the general account, for altho' it occurred to my recollection that the colony under the Crown held a considerable number of arms, and altho' I had made it the subject of special correspondence with those from whom I had reason to expect information,

yet I could obtain no sufficient evidence to substantiate a definite charge for them, till I had recourse to the files of the old Congress, where I found an official report of at least ten thousand stand of British arms furnished at the earliest commencement of the war from the magazines at Williamsburg and elsewhere within the state. Having already presented the general account, I could only inform the Board of the circumstance with a copy of the authority for the claims, and urge that as the want of a document in the power of the state, whereon to ground the charge arose from the devastation of the common enemy, and that as the United States had long been in possession of the testimony, I conceived them bound in equity to admit the claim for the full value, with interest to the amount, if I rightly recollect, of one hundred and fifty thousand dollars, however late it be, as to the time it was presented. As this happened after the door was shut against the Exhibition of claims, I could obtain no written consent from the Board for its admission, but in private and separate conversations they gave me assurances that this equitable charge should have its full weight in counter-balancing any objectionable parts in other Branches of the accounts of the state. A view of the General account will also shew that I have endeavoured, tho' with very considerable trouble, to keep the great subjects of expenditure distinct, authorizing thereby a much earlier commencement of interest, and with respect to the specifics, the charge of much higher prices than the Commonwealth allowed, and enabling me to apply general and collateral testimony with far greater advantage than I could have done had the charges been exhibited according to the order of settlements at the Auditor's office, without regard to their original connections. But a reference to the report of the General Board and a comparison with other states will shew more fully the favorable result of my negociations. For this purpose I wish I could have obtained an abstract from the Book "A," referred to by the commissioners in their report. The hope of procuring it has induced me till this late date to delay the representation which I now have the honor to make. That abstract would have shewn the precise balances admitted to the credit of Virginia and the United States. Upon the adjustment of their separate or proper accounts. These balances the Act of Congress directs shall be added together, and form what is called the aggregate debt of the United States to the Individual state. Of this aggregate each state was chargeable with a certain proportion, and if that proportion exceeded the balance due her on her proper or separate account, such state became a debtor to the amount of that Excess. By the same rule the Creditor States were ascertained. Of course there were two important points upon which the issue with respect to any state depended. First, the amount due her upon proper account; and secondly, the proportion of the aggregate with which she was chargeable. This second point, it was supposed, would have been regulated

1794. Feb. 25th

1794. Feb. 25th

generally according to the estimated ability of the respective states during the period when the apportioned services and supplies were to have been rendered, but Congress thought proper by an early law after the adoption of the new Constitution, to fix it upon the same principle as that of the representation under the first enumeration which should thereafter be taken. This consequently placed the ratio of appointment wholly without the controul or influential contemplation either of the General Board of Commissioners or of the Agents from the several states. The first point therefore, viz: the amount that should be found due upon the private or separate account of Virginia, was of course the only object to which my responsibility extended; and if under my management that amount has been swelled to a sum of very considerable magnitude more than equal to the abilities at which she was estimated during the war, and fully commensurate with the exertions of the other states, I trust it will be acknowledged. I have meritoriously discharged my duty, and exhibited the state in an honourable point of view, whatever may have been the subsequent unfavorable effect of the apportionment prescribed by Congress. Bearing in mind this Just distinction, permit me to appeal to the candour of the Honorable Board, and particularly of those members who were in office at the time of my appointment, whether if I could then have assured them under the evident difficulties of the Business and the very unfavorable aspect which it then bore, that upon closing our proper or separate account we should appear to have contributed more largely than either Pennsylvania or Massachusetts (the two states nearest to us in size and importance), and that according to our quota during the war a considerable balance should be found in our favour. Would they not without hesitation, may I ask, have assured to me in return, not the stipulated compensation which I am now reduced to the unpleasant necessity of asking for, but a liberal and honorable additional reward? All this, sir, has been accomplished even under difficulties much greater than were contemplated. Have I not a right then respectfully to hope for a favorable attention to my present application? On a former occasion I had the honor to observe that had the aggregate debt of the Union been apportioned either according to the ratio of contribution during the war, or of representation in the first federal house of representatives, Virginia, as I was informed by some of the Commissioners, would have been a creditor state by an amount of at least two millions of dollars. A reference to Book "A," would, no doubt, set this point in a clear light, but as I have hitherto been unable to obtain any abstract of it, I must rely upon the data furnished in the report itself. And upon these I trust I shall be able to shew that altho' Pennsylvania appears as the smallest debtor state in the list, yet, in fact, even under the unfavorable operation of the apportionment prescribed by Congress, Virginia is proportionably a less debtor than Pennsylvania; and further that the bal-

ance due Virginia on her private or proper account is considerably greater, not only than that of Pennsylvania, but even of Massachusetts, altho' the latter appears by the report as the greatest Creditor State in the Union. 1794. Feb. 25th

During the War Virginia was rated at one-sixth, but under the Acts of Congress, the proportion of Kentucky being chargeable to her, and Vermont being wholly excluded from the computation, she became liable for between a fourth and fifth part of the whole aggregate, her share, agreeably to the report of the commissioners, amounting to 100,879 dollars—more than the balance due her on her proper or separate account. The ultimate balance against Pennsylvania was 76,709 dollars; whereas, if we assign a sum for her debt having the same relation to her representation, 13, which the debt of Virginia bears to hers, 21, Kentucky in all cases included, the debt of Pennsylvania would be only 62,468 20–100 dollars. Thus it appears, demonstrably, that Pennsylvania is debtor for 14,260 10–100 dollars more in proportion than Virginia, and Virginia for 23,035 53–100 dollars less in proportion than Pennsylvania. Of course the balance due to Virginia upon her account proper, exceeds that due Pennsylvania in exactly the same proportion. If we recur to the quotas during the war, when Virginia was rated at a sixth and Pennsylvania at an eighth, we shall find the latter to be still deficient, altho' not so much so as in the present case, her proportion with respect to the former being as 15¾ to 21, or as 3 to 4. But not only is Virginia the smallest proportionate debtor in the Union, and her proper balance relatively as well as really greater than that of Pennsylvania, but it will also be found considerably to exceed even that of Massachusetts. During the war, Virginia and Massachusetts were equally rated, and each required to contribute a sixth of the whole expense. If, therefore, we estimate the aggregate of this expence at any given sum—say $60,000,000—the proportion for each of these states will be by that rule $10,000,000; and if for argument sake we suppose that each had furnished her full quota of contribution, the balance due each upon her proper account would be $10,000,000, which being the exact proportion of the aggregate chargeable to each, of course neither state would be either debtor or creditor. But if we apply the new rule prescribed by Congress, the quotient instead of 6, will be 4¼¼¼ for Virginia, and only 7¼¼¼ for Massachusetts, which is in the exact ratio of 3 to 2, adding just as much (viz: one-fifth) to the one as it takes from the other swelling the proportion of Virginia to $12,000,000, and reducing that of Massachusetts to $8,000,000, and of course making the former a debtor to the amount of $2,000,000, and the latter a creditor for the same sum.

But in the present case, Virginia is much less a debtor than Massachusetts is a Creditor, and consequently the proper balance of Virginia must be proportionably greater than that of Massachusetts; for if we deduct $100,879, the present debit of Virginia, from $12,000,000, her

1794. Feb. 25th

quota, her proper balance would be $11,899,121; whereas if we add $1,248,801, the present credit of Massachusetts, to $8,000,000, her quota, her proper balance would be only $9,248,801, so that the balance of the proper account of Virginia would exceed that of Massachusetts $2,650,320, and yet under the unfortunate operation of the Act of Congress, Massachusetts is ultimately creditor for $1,349,680 more than Virginia. These appear to me to be obvious deductions, establishing the points I have advanced, and whatever may be the real aggregate debt of the Union, the same principles will apply and similar consequences must follow. I might proceed in my comparison with other states, but I will not longer detain your Excellency than to add one more remark, and that is, that when it is considered how strong the prejudices against Virginia ran upon the subject of her accounts, and in what a ludicrous point of view they were represented by the General Board themselves in their report to Congress at New York, it will certainly be acknowledged that a very great change was effected in the opinions and dispositions of that Board, and that notwithstanding the boasted regularity of several of the States and the advantage which most of them enjoyed in the preservation of their public records, and in other circumstances it must be admitted that the business with which I was entrusted, as far as the result depended upon me, has terminated as favorably as the most sanguine person of information could possibly have expected. How far this is to be ascribed to any merit of my own, and whether my services have been such as may meet the favour of a reward agreeably to the additional assurances frequently repeated to me, are points which must ultimately depend upon the decision of the Executive, to whose Justice, candor, and liberality this representation is most repectfully submitted.

I have the honor to be, &c.

No. 1.

The commissioners appointed to Execute the several Acts of Congress to provide more effectually for the Settlement of the Accounts between the United States and the Individual States, Report That they have maturely considered the claims of the Several States against the United States, and the charges of the United States against the Individual States. That they have gone through the process prescribed in the 5th Section of the Act of Congress, passed the 5th day of August, 1790, (the particulars whereof will be found in Book "A," lodged with the papers of this office in the treasury department), and find that there is due, including interest to the 31st day of December, 1789, to the State of New Hampshire, Seventy-five thousand and fifty-five dollars.

Massachusetts, One million two hundred forty-Eight thousand Eight hundred and one dollars.

Rhode Island, Two hundred ninety-nine thousand Six hundred and Eleven dollars.

onnecticut, Six hundred and nineteen thousand one hundred & twenty-one dollars. 1794. Feb. 25th

ew Jersey, Forty-nine thousand and thirty dollars.

outh Carolina, One million two hundred and five thousand Nine hundred and seventy-Eight dollars.

eorgia, Nineteen thousand Nine hundred and Eighty-Eight dollars.

nd that there is due, including Interest to the 31st day of December, 1789, from the State of

ew York, Two million Seventy-four thousand Eight hundred and forty-six dollars.

ennsylvania, Seventy-six thousand Seven hundred and nine dollars.

elaware, Six hundred and twelve thousand four hundred and twenty-Eight dollars.

aryland, One hundred and fifty-one thousand Six hundred and forty dollars.

irginia, One hundred thousand Eight hundred and seventy-nine dollars.

orth Carolina, Five hundred and one thousand and Eighty-two dollars.

Which several sums they, by virtue of the authority to them delegated, eclare to be final and conclusive balances due to and from the Several States.

Office of the Commissioner of Accounts,
Philadelphia, June 29th, 1793.

Signed:

WM. IRVINE,
JOHN KEAN,
WOODBURY LANGDON.

I certify the above to be a true copy from the original.

B. DANDRIDGE,
Secretary to the President of the United States.

No. 2.

The United States,

To the Commonwealth of Virginia, Dr.

(for supplies and services on account of the late war.)

To amount of Payments & advances made at the Treasury of the State, arranged into different accounts, viz:

Acc't of sundry payments from April, 1, to September 10th, 1775,	6,685 29
For volunteer service, in 1775, (in a paper book,)	41,425 58
Abstracts of Treasury receipts from Sept. 1775, to Dec 31, 1780, (in 2 bound books,),	8,708,298 72
Payment to Commissioners of loans to exchange for new	

1784 Feb 25th. Remain money agreeably to the ordinance of Congress May 25 1784 - - - - - - 247,224 57

To amount of certificates or warrants granted by the auditors or Commissioners for auditing claims for impressed property, viz.

Warrants issued prior to 1782 not included in the account formed from the Treasury books in a bound book. - - - - - - - 415,951 89
Warrants or certificates for militia service as per pay rolls issued, numbered & entered in a bound book - 1,346,076 69
Certificates for depreciation, &c. to officers soldiers sailors & marines of Virginia continental and State lines, in sundry bound & paper books. - - - 4,965,362 98
Warrants or certificates issued since Jan. 1 1782 not included in the foregoing in 3 bound books, - - 3,241,137 28
Expenses in defending the north western territory since the session, in a paper form. - - - - 98,539 25

To amount of specifics and incidental expenses formed into sundry accounts, viz

1. Supplies furnished by commissioners of provision &c in 2 books A & B. - - - - - 1,874,025 58
2. Furnished under specific taxes in 2 books C & D. - 325,479 42
3. Imprest to sundry officers & soldiers in a paper book - - - - - - - 561,353 33
4. Furnished the militia severed from papers returned by Commissioners of Army Accounts in 2 books - 172,522 00
5. Issues furnished by districts or classes under the Act of October 1780 in a paper book. - - - 59,653 41
6. Balance received in taxes and applied towards the Support of the war by William Armistead Treasurer Lists & papers - - - - - - 306,090 54

Form. To amount of sundry claims discharged partly by payments at the Treasury & partly by Auditors warrants or certificates not included in any other account, viz

1. Amount of payments discharged at Norfolk &c. - 1,449,136 62
2. By payments at foreign residences - - - 250,128 96
3. Sundry expenses in Indian affairs returned by the Clerks South Carolina Papers, &c. as formerly mentioned here - - - - - - 463,174 98
4. Payments by the pecuniary requisitions of Congress and made at Special Agencies and not returned since Jan. 1782 - - - - - - 1,635,144 16

Fifth, To amount of sundry accounts not founded on the Auditor's or Treasurer's books, & not included in any other account, viz: 1794. Feb. 25th

1. Lead from mines, (in a paper book),	150,598	77
2. Waggons, teams, &c., from the counties, and clothing from the districts under the Act of October, 1780, (in 2 paper books),	139,795	80
3. Bounties by County and classes under certain recruiting Acts, (in 2 paper books),	1,090,221	15
4. Hemp received in taxes & applied to procure military stores, (in a paper book),	8,896	06
5. Land to army & navy for their services as per account,	287,989	20
Add Illinois' claim liquidated by special commissioners with interest,	740,000	00
	$28,281,145	18

N. B. After the above account was presented to the General Board an additional claim was exhibited, the precise amount of which is not exactly recollected, but it was not less than 150,000 dollars.

No. 3.

Extract from the Journal of Council, October, 1788:

Col. Wm. Davies having undertaken to act as Counsel in the Settlement of the Accounts of this Commonwealth against the United States, it is advised—that for travelling to, attending at and returning from New York or such other place out of the State as shall be appointed by Congress for the auditing of the Commissioner of Army accounts, or the Board of three on the said accounts, he be allowed six dollars per day; and that further compensation shall be made him, if upon the completion of the Business his services shall appear to deserve it, the Governor orders accordingly.

No. 4.

Extract from the Journal of Council of Dec. 31, 1788:

The Governor laid before the Board a resolution of the General Assembly empowering the Executive to take effectual measures for settling the accounts of this State against the United States, and it being suggested that it is not decided whether Col. Davies or Mr. Dunscomb had authority to control all proceedings in the settlement of the said accounts, the Board advise that Mr. Dunscomb be directed to give Col. Davies every information in his power respecting the demands of this State against the United States, and take his advice and direction in preparing and stating the same, and that he suffer him at all times to have access to any books, papers, or vouchers in his possession.

A. BLAIR, C'lk.

1794. No. 5.

Feb. 25th Extract of a letter from Gov. Edm'd Randolph to W. D., dated Richmond, Aug. 19, 1788:

"We wish to obtain your aid in the settlement of our accounts against the United States. The particulars cannot be well stated to you on paper, but if you can make it convenient to ride over to this place, and inform yourself of their general nature, so as to determine whether you can go farther or not, we will make your compensation satisfactory I hope, and honorable.

The sooner you visit us, if at all, the more suitable it will be to the public necessity.

No. 6.

Extract of a letter from Col. W. D. to Gov. Ed. Randolph, dated Richmond, Oct. 1, 1788:

"I have perused the papers entrusted to me by your Excellency, and from the nature of the business, as well as the late day when my agency in it will commence, I cannot undertake it without diffidence and much apprehension that my endeavors may not give that satisfaction I shall be very anxious to afford. The period for the admission of claims is past, and the accounts & vouchers imperfect as they must be, and already in the hands of the district commissioner, they are therefore not within my power of inspection, much less of a pointed preparation either to support the items or to controvert particular objections, those only excepted which have been noted by Mr. Winder. The refusal of Gentlemen by far more competent than myself to undertake this business at a period much earlier, and therefore of more leisure and advantage, cannot fail to impress a conviction of the labor and difficulty I must encounter in the prosecution. Indeed, under any circumstances, I should scarcely feel myself at liberty to abandon my professional pursuits and to suspend a very necessary attention to my private affairs, had I not a hope that from my former office in the state, and agency with the army, during a great part of the time in which I presume a considerable proportion of the claims had their origin, I might be able to afford such useful information as in some measure might counterbalance my incompetency in other respects. I have therefore concluded to enter upon the business, and shall hope for such information repecting the compensation I may expect as will assure to me that while I am devoting my time to the service of the public, I am not inattentive to the interests of those for whom I am more peculiarly bound to provide.

No. 7. 1794.

Resolution of Council dated December 7, 1790:

The Board took into consideration the State of the office of the Commissioner for the Continental Accounts. Whereupon the Board are of opinion that as the Business of the Commissioner is likely to be of longer continuance than was expected at the time of his appointment, it is proper that his salary should be reduced to a standing annual sum. It is therefore advised that from and after the first day of January next, he be allowed at the rate of four hundred pounds p. annum, and that when the business shall be completed, the Executive will make him such further compensation as his services, in their opinion, shall entitle him to. The Governor orders accordingly. Feb. 25th

A. BLAIR, C. C.

No. 8.

Extract of a letter from Gov. B. Randolph to W. D., dated Dec. 10th, 1790:

Inclosed is an Act of the Executive, fixing your salary at a certain annual sum in future. The advice states the reason which has induced this measure. The sum it is hoped will be competent to your support. The compensation for your services is left open for future determination, upon principles which give you assurance that it will be fully equivalent to them.

A. BLAIR, C. C.

DAVID PATTESON, L. C. C., TO THE GOVERNOR. Feb. 26th

In pursuance of your letter of 17th, I without loss of time called out a small part of the militia of Chesterfield County as a Guard to prevent an infraction of the Peace which at that time seemed to threaten the Inhabitants of the Town of Manchester. Agreeable to yours of the 19th, the Guard has been continued until the 24th, being then of opinion that the danger which was at first apprehended, ceased to exist, I discharged the militia which had been so called out. A state of the service & expenditure I will lay before you so soon as I can collect the Rolls from the officers commanding. Manchester

The 24th Inst., the Justices of our County met at this place to take under consideration yours of the 19th. Their determination you have enclosed, by which you'll observe they consider a Guard necessary, Consequently I have again ordered out a small part of the militia for the purposes by them required. I am satisfied that a strict complyance with their views may cause complaints, and perhaps heart burn-

1794. Feb. 26th

ings, but if on the contrary a Retaliation by me should prove the cause by which the infectious disorder now prevailing in the city of Richmond should make its way to this County, to you, sir, I can appeal how I am to answer to those who have placed confidence in me; therefore to do my duty with promptitude seems to be the safest method to pursue. Strictness to the few may prove the salvation of the many.

The 21st Inst. I was sent for by the officer commanding the Guard at the foot of Mayo's bridge, & informed that Mr. James Hays with a party of armed men had crossed the River opposite Rocketts & gone towards his dwelling house. Knowing well that caution was necessary to be preserved to prevent fresh disorder, I determined to ride down and enquire into their Intentions. I found Mr. Hayes in his Garden, & observed to him that the minds of the Inhabitants were again in a way to be disturbed from the representation of the Centinel posted opposite Rocketts. He said much about liberty & preventing his going to his own home, &c.; to all of which I gave for an answer that he would not be disturbed by me or my order, but that armed men at that time were exceedingly improper, after what had happened on the night of the 16th, adding that my visit was as a County man to make enquiry, & that it would give me pain should any thing happen to make it necessary to speak the language of the officer of the County. During our conversation on this subject Mr. Hayes would not inform me the names of the persons who had gone over with him. However, being satisfied that their Intentions was to shoot Birds, I cared little for their names, & returned to the Guard. In the Even'g I directed the officer to mount a discreet young Gentleman on my own horse to ride opposite Rocketts & see or direct that Mr. Hayes & those with him were allowed to pass without interruption; provided they did not Commence Hostilities. When they went over I know not, never having made further enquiry, but convinced I am that they were not molested in the smallest degree. Mr. Younghusband being with Mr. Hayes on the 16th & again on the 21st armed, seemed to cause suspicion. Mr. Hayes ought to have known my meaning was friendly, having gone without arms or attendants. Much more passed in conversation, which would be too tedious, & by no means necessary to relate. From the moment this unfortunate business was communicated to me, to the present, I have zealously endeavoured so to act as to give no Just cause of complaint, & to you, sir, I am at all times accountable for my conduct.

I have the Honour to be, &c.

Feb. 27th

Mrs. M. Hodson to her son.

Has heard that the soldiers and people of Richmond are determined to march into Manchester, and if they meet with the least opposition, to use cannon. Hopes that he will go to the country.

T. MERRIWETHER TO THE GOVERNOR. 1794.

Sending Bond as collector of arrears of taxes in the Third Brigade district. Mar. 3d Louisa

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CHAS. WELLS TO THE GOVERNOR. Mar. 3d

By this opportunity I take the liberty to mention some things relative to the present contract for furnishing provision to the rangers on this frontier. When the contract was entered into, I understood and I hope your Excellency also did, that the provision was to be furnished at the places, which were established in the former year by Messrs. Woods, since which time I find that the troops are generally on the River, and require the provision furnished at the different posts, which accumulates an expence such as the State price of the Rations will not admit of, besides the danger of the River in sending provisions without escort. I hope your Excellency will consider the disadvantage that I labor under on this occasion, also the difficulty of furnishing provision at this time, when every article demands cash on acc't of a continual supply which Gen. Wayne's army demands. I have supplyed the station of Little Kenhawa with four months provision, and have also provided for the other Stations now established on the River. Could it be in your Excellency's power to forward some part of the money to enable me to continue the supplys, it would be very acceptable, as I find myself in need at this time. The prevailing opinion at this time with us is war. The people are strongly attached to the cause of France, and some eager to try their fortune once more with Britain. These will be handed you by Mr. William Boggs, who is intrusted with the different papers relative to this county. Should anything occur which might privilege another appointment of a Lt. on this frontier. Mr. Boggs I am persuaded will serve, provided your Excellency should think proper to give him the appointment. I think he will discharge his trust. Ohio county

I have the honor to be, &c.

Endorsed on the above the following:

Received from the Governor an order on the Auditor for five hundred dollars for Mr. Charles Well, 18th Ap'l.

WM. BOGGS.

W. TATE TO THE GOVERNOR. Mar. 3d

Contractor Kent asks for an advance of fifteen hundred dollars to enable him to furnish Rations for volunteer militia on frontier. Washington county

1794. J. PRYOR TO THE GOVERNOR.

Mar. 3d Georgetown

I arrived safe with my charge yesterday at Alexandria, having prevailed on Col. Hoomes and the Post Master to suffer the Stage to run on Sunday by hiring a man & Horse to bring on the mail to-day at an expense of about six dollars.

Inclosed is a duplicate rec't by w'c'h you will observe that the cut silver overran by about a dollar; the weight of the Gold was exact w'th that it bore at the Treasury, but different in calculation 28 dollars 34 cents—4–6 the dis'ct being the allowance at the Bank as the President informed me, and 4–10 calculated by the Treasurer; however, on this head you will hear from Mr. Fendall. The Copies of the laws I left as directed.

Finding the Roads almost impassable, (with other passengers) I embraced an opp'ty to this place, w'ch offered the Instant I finished my business, at the Bank by water, & when or how I shall get forward to Phil'a the event can only determine, I count on ten days from this at least.

I am with much respect, &c.

Bank of Alexandria, March 3rd, 1794. Rec'd of the Treasurer of the State of Virginia, of Major Pryor, Seventy-four thousand nine hundred & thirty-three pennyweights, Eighteen Grs. Cut silver & five Hundred nineteen pennyweights & six Grs. German Gold, for which post notes are to be remitted to the Treasurer agreeably to the contract for the President, Directors & Company of the Bank of Alex'a.

GURDIN CHAPIN, Cash'r.

Mar. 4th

OFFICERS FREDERICKSBURG ARTILLERY TO THE GOVERNOR.

Fredericksburg

The undersigned having the honor to be commissioned by you to the command of the Fredericksburg Artillery Company, we have taken the liberty to write to you with respect to the prices of ordnance for the company. We could wish to have two Light Six pounders, as in our opinion would be a good size for the field, and as it is our wish and determination to have our Company equal in disipline to any in the regular service, we could also wish to have every apparatus necessary, ready at hand that should we be called upon to take the field we may be able to march at two hours notice. We likewise could wish to have tackling for four Horses, fixed ammunition such as round & Grape shot with cartridges; also a small Tumbril for carrying ammunition, &c.; about fifty stand of small arms or Fusees with pouches & Bayonets. It will also be necessary for us to have a House in order to keep these things safe.

If you will be so good, Sir, as to acquaint us when and where we shall get Guns, &c., Capt. Callendar will repair there & have them conveyed to this place as quick as possible. 1794. Mar. 4th

With the greatest respect, We are Sir,
Your most h'ble Serv't.

JOHN CALLENDAR, Capt.,
JNO. LEGG, Lieut.
JAS. SMOCK, 2nd. Lieut.

J. PENDLETON TO THE GOVERNOR. Mar. 5th

The Co'wealth's Ex'ons, w'ch should be delivered to the Agents appointed by the Executive under the 9th class of the Acts of '93, will soon be ready to goe out, & but few of the Bonds to be given by the Agents are yet come to hand. I wish therefore to be honoured with the commands of the Board, Whether the Ex'ons for the Districts where the Agent has not yet transmitted his bond must wait the arrival of the bond, or whether they shall goe to the Sheriffs, as usual. I begg to request the interposition of the Hon'ble Board on the Business of the enclosed letter—1st, Law touching the subject is 6th chap. of the Acts of '91; 2nd, 20th chap. of the Acts of '92. Auditor's office

If the Executive should be of opinion that they can authorize a second offer of the lands, I presume they will make the instructions to me a General one, as no doubt similar instances will occur.

I am yr. Ex'y's
Most ob't Serv't.

J. WIMBISH TO MR. JOHN PENDLETON, AUDITOR. Mar. 5th

The whole of the Commonwealth's Lands agreeable to the lists transmitted the Sheriffs of Halifax has been offered for sale, and there is a large proportion of them remains unsold for want of bidders; and as the law does not particularly direct the Sheriffs to offer them more than once, am at a loss what to do. It appears useless to return the lists as they were Rec'd, and I am of the opinion that if it was offered again a good deal of it would sel. People are getting their crops down now, and it is more in there power to purchase than when it was offered. Another Reason that from the former sales of land in that County, they were led to beleave if they did not purchase their lands when last offered, that they would in future have it in there power to get it on better terms, which mistaken Idea is now removed by one of our Delle-

1794. Mar. 5th gates, therefore have thought proper to advise with you, and if you think the law will Justify another sale or sales, you'll please direct me and I shall act accordingly.

I am, sir, &c.

Mar. 7th

LEVEN POWELL TO THE GOVERNOR.

Middleburg I have to acknowledge the rec't of your favor of 6th inst. notifying the appointment which you and your H'ble Board have been pleased to confer on me. This I consider the more honourable as being unsolicited, and if anything could make me more assiduous in discharging the duties of any public office it would be by getting into them in this manner. I have never enjoyed a firm state of health since I left the Assembly in 1792, but as I conceive there cannot be a great deal of business to do in this District I hope it may be in my power to do it, & I think I may with safety assure you that what there is to do shall be well done, & the money as fast as it can be got into my hands remitted to the Treasury. I return the bond executed. You are acquainted with the circumstances of the Gentlemen who have signed it with me. It would therefore be unnecessary for me to say that they both possess growing estates, each of at least five times the amount of the penalty in the Bond. So soon as you shall be pleased to furnish me with the necessary instructions I shall enter into the Execution of the duties of the office.

I am, &c.

Mar. 7th

EDMUND PENDLETON TO THE GOVERNOR.

Carolina county Mr. Hoomes has just informed me of your having sent me the choice of 5 places for holding the succeeding Court of Appeals, For which I am under great obligations. There seems to be no competition but between Hanover Town & the Bowling Green, & I feel a delicacy in preferring the latter, as it is most convenient to me, & less so to my worthy associates than the other, but it claims the preference in having a commodious room for holding the court, and the daily running of the Stage will afford a ready means of procuring any papers from Richmond w'ch may be found necessary in the course of the term. However, I can with cheerfulness attend the other place, if Judged more Eligible.

I have the honor to be with great Esteem, &c.

THOS. NEWTON, JR., TO THE GOVERNOR. 1794.

The moment I rec'd your instructions relative to Artillery & L't In- Mar. 9th
fantry companies, I furnished the Capt's with a copy thereof, & I hope Norfolk
it will have the desired effect, & bring them into order. You do not say whether the militia generally are to have red cockades. This distinction appears to me only for the artillery. When a company is now formed, the officers & men have as many different Kinds of cockades as there are faces, which makes an awkward figure. The black with a try colored ribband in the center appears most desirable by the numbers who wear them. The black does not go down altogether as it makes no distinction from the Brittish.

I am, &c.

We have news (certain it appears) from Guernsey of Tarlton being taken and all the ships in the harbour burnt. The British have landed at Martinique. I hope they will return without effecting any thing.

EDMUND HARRISON TO THE GOVERNOR. Mar. 10th

Agreeable to your request I have seen Col. Davies and have adjusted Petersburg
the responsibility of his Agency much to my own satisfaction & I trust with the acquiescence of the Board. I have a deposit of seven thousand and fifty-nine pounds, 4–6 which will be lodged with the Auditor. When this is added to his landed estate & the personal & real estates of his securities, I can venture to predict the public will be no losers by his agency. As to the discrimination of Mr. Poythress, had I have been at the board I could have informed them that the signature was of the elder Mr. Poythress, As the younger would have annexed Jun'r to his name.

I am, &c.

RICHARD MARSHALL SCOTT TO THE GOVERNOR. Mar. 10th

The memorial of Richard Bristow, of Great Britain, an infant under the Age of Twenty-one years, by Richard Marshall Scott, of Dumfries, in the county of Prince William, attorney in fact for Mary Bristow, John Askill Bucknall, and Reuben Phillipson, guardians of his person and estates, most respectfully sheweth, That your memorialist, Robert Bristow, was in the year 1779, and before that year, seized and possessed of sundry tracts of land and a considerable number of slaves within the Commonwealth of Virginia, concerning which, proceedings

1794. Mar. 10th in the nature of escheat and forfeiture were commenced and had, whereby, as it has been supposed by some, but which your memorialist cannot admit, the said tracts of land and slaves became vested in the Commonwealth. one of the said tracts of land situated in the county of Prince William, and containing between seven and eight thousand acres, and of good quality, was not sold during the war, but hath remained ever since the year 1779 under the management of the Commonwealth, who, or its Agent, hath received the rents and profits thereof, and a commissioner authorized and appointed in pursuance of an Act of the last General Assembly of Virginia for selling the same hath advertised the sale thereof to be on the first Monday in May next. A certain Charles Ewell and others, severally claiming rights to leases for a long term of years, have obtained an injunction restraining the sale of those parcels of the said tract of land, to which their claims extend till the further order of the court, a copy of which bill and of the order of the court is herewith sent, and thereunto your memorialist prays leave to refer. These claims apply to a large proportion of the land, and the residue cannot be now sold so advantageously as they would be sold if the whole tract was sold in parcels at the same time. In consequence of the dispersed situation throughout the whole tract, in which the lots are, that are not subject to the aforesaid injunction, the Justice of the aforesaid claims, your memorialist doth not admit, and therefore expects will be satisfactorily proved to the court. Further, your memorialist prays leave to state that many of the tenants on the said tract of land who had rights to leases for years or lives, have by various acts of waste and destruction, and otherwise, forfeited their rights to the same. Under the circumstances, it is not reasonable to expect that the said lands will be sold for anything equal to their real value in the month of May next, before which time the merits of the said injunction cannot be tried and decided, nor can the tenants who have forfeited their rights be dispossessed. Your memorialist takes this opportunity to declare that under the Treaty of peace with Great Britain, and under the imperfect proceedings of escheat touching the said tract of land, he hath a right to hold and enjoy the same as his absolute property, and whether sold or not, he shall take all lawful measures for recovering the same, having been advised by very able counsel, a copy of whose advice was on a former occasion shown to your Excellency, that he hath a sure and good title to the said tract of land, or that at all events he is entitled to the monies that shall be produced from the sale of the same. On this account he hath been induced to make the present application, and he prays that the same may be considered and deeded, and that the proposed sale in May next may be suspended till the merits of the said injunction bill shall be tried and decided in Court, and till the tenants who have forfeited their rights shall be dispossessed. And as in duty bound, &c.

EWELL VS. THE COMMONWEALTH—A BILL. 1794.

To the Honorable George Wythe, Judge of the High Court of Chancery: Mar. 10th

Humbly complaining your Orator, Charles Ewell, Alexander Compton, John Jackson, David Renoe, William Flagus, Bondveale Brown, Jeremiah Ballenger, Alexander Ross, William Milstead, Dudley Ballenger, Dudley Petty, Ezekiah Dunnington, Joseph Ballenger, Gustavus Scott, John Peyton Horton, Wm. Clinkscales, Margaret Foster, Catherine Davis, & Benjamin Posey, Tenants on the Bristow's track of land in Prince William County, Sheweth unto your Honor, that Robert Bristow, late of Great Britain, in or about the year 1745, being possessed of a tract of unleased land in the county of Prince William containing about seven thousand acres, was desirous to settle tenants on said tract, and accordingly his Agent, Cole Henry Willis, caused advertisements to be distributed and set up in different parts of the county inviting people to settle on said land which had been previously laid off into lots containing from One hundred to one hundred & fifty acres each according to the quality of the land, and promising all those who should settle on his lands Leases for three lives or ninety-nine years for the lots they should respectfully settle on, at the rent of Five hundred and thirty pounds of transfer Tobacco, a lot, which advertisement were continued to be distributed and set up by Colo. Richard Blackburn, who succeeded the aforesaid Colo. Henry Willis as Agent for the said Robert Bristow, and was never contradicted or countermanded by any of the subsequent Agents of the said Bristow, but was on the contrary acknowledged by them to be valid and binding on said Bristow, and continued to encourage tenants to settle on said land on the terms mentioned in said advertisements untill all the lots were settled and Improved. That your orators have separately purchased from the first settlers on said lots or those claiming under them for valuable considerations, the lots on said tract of which they are now respectively possessed, and were induced and encouraged to make such purchases from the repeated declarations and assurances of the Agents of Bristow before the said land was confiscated, and of the Commissioners of the Commonwealth since the confiscation, that the rights of those from whom they purchased were good. That the said tract of land was confiscated in the year 1779 but has remained unsold, and your orators have continued to hold and possess their respective lots, paying to the Commonwealth the rent of Five hundred and thirty pounds of transfer Tobacco, and always expected peaceably and quietly to hold and enjoy their respective lots according to the terms set forth in the before mentioned advertisements undisturbed by the Commonwealth, more especially as the right of some of the tenants who put in their claims to the General Court on the return of the inquisition against the said Robert Bristow to said Court were confirmed by said Court which rights were in all respects similar to the rights

1794. Mar. 10th

claimed by your Orators. All which foregoing facts are fully proved by the affidavits hereto annexed. But now, so it is, may it please your honor, that by an act passed at the last session of the Assembly, the Governor and Council were directed to appoint a Commissioner to make sale of the said tract of land, and they have accordingly appointed Thomas Lee of Prince William County a Commissioner for that purpose, who has advertised a sale of said lands to be made on the first Monday in May next, and unless the just and equitable claims of your orators to leases for their respective lots on the terms & for the time Specified in the aforesaid advertisements are established previous to the sale, they will necessarily be exposed to tedious and expensive law suits with the purchasers of said lands. In tender consideration whereof, and for as much as your Orators are remedyless by the strict rules of common law, and are only releiveable in the Honorable Court which has power to hear and determine the equitable claims of citizens to confiscated property, May it please your honor to grant an injunction to be directed to the attorney for the Commonwealth & the aforesaid Thomas Lee to stay the sale of the lots of which your Orators are respectively possessed untill their claims can be heard and determined, and finally to make such decree or order therein as to your Orator shall seem Just, &c.

(Marshall for the Compts.)

Let injunctions issue to stay the sale, the plaintiffs giving security in the penalty of twenty pounds. Commissions are awarded to take the examinations of witnesses 8th of Feb'y, 1794.

Signed,

G. WYTHE.

A Copy—Teste:

PETER TINSLEY, C. H. C. C.

Mar. 14th

J. BROWN TO THE GOVERNOR.

Richmond

Herewith you will receive the list of Inquisitions of escheat required of me by the order made in Council on the 17th January last, and my acc't against the Commonwealth for the service, w'ch has been performed as early as possible, after the suspension of business, which unavoidably took place upon the breaking out of the small-pox, was removed.

I have the honor to be, &c.

AUGUSTINE DAVIS TO THE GOVERNOR. 1794.

Informing him that 400 extra copies of the Revised Code ordered by last Assembly are ready. Mar. 15th

Asking the No. of copies of Code desired; also the number of militia laws and the number of the Act for regulating the militia, and the Act to provide for the National defence.

Asking for payment for arrears to enable him to prosecute the public business.

SAM. COLEMAN TO HON. JAMES WOOD, ESQ. Mar. 15th

Council Office, January 11th, 1794.

For your information respecting the number of copies of the Act of Congress, "more effectually to provide for the National defence by establishing a uniform militia throughout the United States," also of the Act of the General Assembly, "for regulating the militia of this Commonwealth," required by the Act last mentioned, for the use of the officers of the militia, I do myself the honor to lay before you the following statement, viz:

For the Major-Generals,	4
For the Brigadier-Generals,	17
For the Lieutenant-Colonel Commandants,	91
For the Majors,	182
For the Brigade Inspectors,	17
For Captains of Artillery.	17
For Captains of Cavalry,	17
For Captains in Battalions,	1,092
	1,437

I have the honor to be, &c.

WM. J. VEREKER TO THE GOVERNOR. Mar. 15th

Sheweth that an order to the Auditor to have prepared copies of muster & pay rolls & Ration abstracts of vol. militia & scouts for frontiers for transmission to the Secretary's Office of the U. S. with expedition, required much extra labor & loss of rest, by which his health was seriously impaired.

On this account he asks further consideration of his claim for additional compensation.

1794. Mar. 15th — Muster Roll of a detachment of Capt. Cornelius Bogard's Company of rangers or voluntier militia Commanded by Lieutenant William Wells, ordered into service by the Executive of Virginia, for the defence of the Senatorial district of Monongalia, commencement of service, 15th of March, 1794:

Name, William Wells; Rank, Lieut.; Time of enlistment, Mar. 15, 1794. Name, Jos. Ross; Rank, Serg't; Time of enlistment, Mar. 15, 1794; and others.

Mar. 18th — CHAS. LEE TO THE GOVERNOR.

Alexandria — Recommends Alexander Smith for appointment as Flour Inspector for Alexandria.

Mar. 18th — DANIEL CARROLL BRENT TO THE GOVERNOR.

Richland Stafford county. — Communicating the facts of a murder committed in Stafford by one Powell on one Mountjoy. Powell escaped to Maryland. Reasons why attempts to capture him were not earlier made. Powell seen in Baltimore; supposed to live in Calvert Co. Description of Powell. Suggesting a demand on the Governor of Maryland for Powell's surrender.

Mar. 18th — DEPOSITION OF RICHARD MORTON BEFORE DANIEL C. BRENT.

Sets forth that while in bed he overheard a quarrel between Mountjoy & Powell & Dillon, terminating in a fight between Powell & Mountjoy, in which Powell put out the eyes of Mountjoy, causing his death.

Mar. 19th — THO. NEWTON, JR., TO JNO. HAMILTON, ESQ., BRITISH CONSUL.

Norfolk — I received yours of this date relating to Mr. Cooper's ship; that she is armed I have no doubt of, but conceive that she does not come under any instructions I have received from the Governor. It is a well known fact that that ship is loaded and bound to Spain, & that we have the worst of enemies to contend with in that country (the Algerines), and although we are neutrals in the present war between Great Britain and France, yet I think we have a right to arm against those who are at war with us without contravening our neutrality. These are my own ideas, but as the ship is out of my jurisdiction, I can do nothing further than transmit your letter to the Gov'r for his advice and construction thereon.

I am respectfully your obe. serv't.

The following is the letter above referred to as enclosed to the Governor for his construction: 1794. Mar. 19th

Information has been given me that the Chickamaugue, otherwise the Isaac, which cleared out and sailed from hence without having any guns on board, is now in Hampton Roads, and has mounted eight Guns. Conceiving that this equipment is a contravention of the regulation adopted by the President, I have to request that you will inquire into the intelligence I now communicate, and should the circumstance I represent be deemed an infraction of the rules I refer to, that you will take the necessary steps to prevent the sailing of the above mentioned vessel. Norfolk. British Consul's office

I have the honor to be, &c.

Col. Newton, &c., &c.

H. Knox, Secretary of War, to the Governor.

Mar. 19th

Your favors of the 3 and 6 instant have been received. As the bill for the fortification of the posts has passed, immediate measures will be taken for mounting such heavy cannon as may be at Norfolk, and which are of sufficient goodness. Some person as an engineer will also be sent for the purpose of deciding upon the spots where the batteries ought to be erected. The interruptions and injuries to our trade in the West Indies are of the highest nature and now engage the most serious attention of Congress. What shape the business will assume is not decided, but all classes seem to think that every preparation for war ought to be made in order to speak in a dignified tone to the offending power, suitable to the occasion. The demands relative to the Armourers was unknown to me until you mentioned them. Every just arrangement is made for furnishing the Master Armourer with money. His being off the post road has occasioned some derangement which will not probably occur again. Contingent claims, such as was incurred at Norfolk, will sometimes arise, and no remedy being at hand, payments may be delayed, but this is not the case to my knowledge for any regular authorized expences, after such are adjusted by the accounting officers. I have given instructions to the accountant to adjust with all possible dispatch the accounts brought by Major Pryor. As soon as the balance shall be ascertained for which the United States are responsible, application will be made for the same to the Treasury. War Department

I have the honor to be, &c.

William Lowther to the Governor.

Mar. 19th

Agreeably to your orders, the rangers are enlisted in this county, and have been mustered by Colo. Jackson, and in the other counties, I know Clarksburg

1794
May 19th

not by whom or whether all your orders directing them to be mustered by the same persons that mustered them last year. Gen'l Wood mustered the greatest number then, so that I have been greatly at a loss in that particular. It is affirmed that they were all to be stationed on the Ohio. But having received no instructions from you to do so, I have directed the stations as last year. If it is your desire that any alteration should be made, I should be glad you would intimate it as early as possible. The Commissary, I understand, intends only furnishing provisions to the men in the river. It is this country. Ammunition and part of Kentucky will be unsupplied. I am informed by Gen. McClung, who has the care of the public ammunition for the district, that Gen'l Biggs has demanded it. The resolve, it was to be subject to my disposal, & that I was to be responsible for any improper application or waste of it. Therefore, unless directed positively by you, I think I am not at liberty to consent to its being more than the quota for Ohio, of what is in hand. It consists mostly of rifle powder, 5 only of which are in for use. In Lead 50 fothers. From this statement I trust you will think with me, that it will be necessary to forward a supply speedily. I am informed that the ammunition sent out to the several counties, except this, is exhausted. There remains in hand yet in this county 2 casks powder & an equivalent of lead, only one of the casks fit for use. You will pardon me for expressing a wish that the person who may be employed to procure powder should be instructed to purchase none but what is good. I should be glad if you would give information when the pay for last year's services may be expected & in what manner it is to come, whether by application from us or that you will forward it. The Indians have made one incursion in this county and taken one man prisoner within about 35 miles of this place. We have mustered three as yet. The spies report some sign of Indians between the Little and Great Kanawa.

I have the honor to be &c.

I am of opinion it would be best to order the three companies destined for the defence of the Western Frontiers of the Ohio River to be posted at the best stations between Hollidays Cove and the mouth of the Little Kanawha that Captain Lowther as Commandant of the whole, fix his own station as near the centre of his command as possible. That he be instructed to visit the Different Posts to direct the mode of performing the Duty and to take the most effectual measures for protecting the Frontier of the Monongalia District, and that he forward by post regular monthly returns of the companies under his command.

JAMES WOOD.

9th Apl. 1794.

THOS. NEWTON, JR., TO THE GOVERNOR. 1794.

I now inclose you the proceedings relative to the Sloop Diligent, Capt. Cunningham, taken at first by a French privateer & carried into Gaudalupe, where they took out a box of silver plate belonging to Miss Tucker & me, & seven barrels of sugar belonging to my Daughter Martha. The sugar they disposed of & the plate they detained for proof. Mr. Oster, the Consul, has wrote the Gov'r of the Island & sent him a certificate of its being American citizens property, what effect it may have, time will discover, but I have every reason to think that they will not deliver as I have heard that the crew of the privateer insisted on a condemnation altho. the vessel & effects were altogether American property, the same vessel was after taken by a Brittish privateer & condemned for having French Sugar on board which she took in at Gaudalupe. I shall be obliged if you'd forward the inclosed papers to the President that we may get redress. I also enclose you a letter I have rec'd from Mr. Hamilton, as a Brittish Consul, with my answer to him. We think our preparations for defence move slowly on. The French fleet are on the Eve of departing and as I have heard will not let the Doedalus go out. I mentioned to you sometime ago that some of the large guns were spiked during the war, they must be cleared, & wou'd it not be right to have it done, as I suppose they will be taken into the Continental service & paid for. It would be forwarding the business at least a fortnight. Mar. 20th Norfolk

I am, &c.

THOS. MADISON TO THE GOVERNOR. Mar. 20th

Recommends Joseph Kent for appointment as Pay master to troops under command of Capt. Lewis.

WM. PRENTIS, MAYOR OF PETERSBURG, TO THE GOVERNOR. Mar. 20th

The letter which I had the honor of receiving from you on the subject of the restrictions on those whose business may call them to Petersburg, came to my hands on Monday last. The Common Hall of Petersburg very early took the business into consideration, but finding that the restrictions in their resources deprived them of the means by which they could comply with the wishes of the inhabitants in paying Jurors, &c., they were under the necessity of declining the adoption of those precautions which appeared necessary and proper. Petersburg

In consequence of which the people of Petersburg being under fearful apprehensions, from their exposed situation, of experiencing the dread-

1794. Mar. 20th

ful disease that has visited their fellow citizens of Richmond, have chearfully embraced every means within their power to guard against its being introduced here. and the better to effect this desirable object, they appointed a few of their fellow citizens a Committee to attend to the Business, which Committee have been authorized by the Common Hall to use all legal measures in fulfilling the object of their appointment, and sure I am that if any unreasonable and injurious restrictions have been adopted by this Committee they have arisen more from a wish of preserving the health and lives of their neighbours than from any inclination of abusing that confidence which is reposed in them.

Immediately on the receipt of your letter, I waited on the Committee to know if there was just cause for the complaints which have been made to you, I was informed by the Committee that they knew of none, unless it was the case of Mr. Fenwick, and in this instance the acting members of the Committee for that Day have lodged with me papers in justification of their conduct. But as you have not informed me of the persons who made complaint I have thought it unnecessary to forward these papers to you.

The enclosed publication of the Committee, will, I flatter myself, convince you that the restrictions are not injurious to those who may be disposed to accommodate or satisfy a community that are so much interested in the event. If, however, it should not meet your approbation I shall be happy to hear again from you on the subject.

I am with Respect,

Your ob't Serv't.

To the Public:

The Committees for the Town of Petersburg are happy to assure the public that the precautions heretofore used have been effectual to prevent the introduction of the Small-pox into the Town, and they pledge themselves that the earliest information shall be given should it unfortunately make its appearance among us. They regret the necessity of being extremely rigid as to the terms on which those gentlemen may be admitted, who are now, or hereafter may be at infected places, but when it is considered that the happiness and existence of vast numbers of people essentially depend on the town's being free from this fatal disease, they rest assured that all the friends to humanity will chearfully acquiesce in any measures which may be adopted for the safety of the Inhabitants, and for the information of Gentlemen who may now be absent from Town, they take this method of communicating to the public that no person suspected of having come immediately from any place infected with the Small-pox will be admitted without previously taking an oath either that he hath not been where the disease prevails, or (if he hath been at such place) that he hath taken the necessary precaution of changing his clothes at some uninfected place.

Petersburg, March 13, 1794.

WM. CLENDINEN, CAPT. V. C., TO JOHN STUART AND THOS. EDGAR, ESQUIRES. 1794.

Gentlemen:

I am informed that you have on hand a quantity of powder and Lead, And as there is no provision made to supply the Troops with ammunition that are allowed for the defence of Greenbrier and Kanawha, I have got George Huggard to go forward to make application to you, or either of you, For two hundred weight of good Rifle Powder and four hundred weight of Lead. The price Hitherto allowed for powder by the public is three shillings and for Lead one shilling. If you will agree to furnish the aforesaid quantity I will make no other application. Your writing to me by the bearer will confirm the contract, and you shall on the Delivery Receive my Receipt for the ammunition and an order on the public for the money. Mar. 21st Kanhawa

The bearer, Mr. Huggard, will let you Know the quantity I must be furnished with Immediately.

I am, Gentlemen, with Respect, &c.

M'rch 20, 1794.

Rec'd an order from John Stuart for fifty pounds of the within powder on acc. Ludinton.

GEORGE HUGART.

This order Ludinton paid.

EDMUND HARRISON TO THE GOVERNOR. Mar. 21st

Enclosing Bond of Col. Goodwin as agent for collection of arrears of taxes in Brigade District, of which Dinwiddie is part.

WM. MCCLEERY TO THE GOVERNOR. Mar. 22d

I have been honored with the receipt of your letter pr. Capt. McCollock, requesting a return of the distribution of last year's ammunition and the quantity on hand, and can for the present only inform you that agreeably to Major Lowther's orders, it hath all been issued except 13 quarter casks of powder; & about 250 flints, & 4 quarter casks of powder is this day to be issued to two detachments of the Rangers commanded by Lieutenant Evans and Ensign Jenkins, who are about to march to their station on the Ohio River. The powder left in my hand is of no value to send to the Woods, and indeed unless proper attention is paid to the choice of good Rifle powder when you purchase, money Morgan Town

1794. Mar. 22d

will be expendit and the service left to suffer. I have not a pound of lead. I would make you out a return in form, but am now engaged in the business of our Courts, and therefore must for the time being beg to be excused.

The disappointment that hath happened concerning the money for not only the men's pay, but also for their provisions for last year, may, it's possible, retard our defensive operations for the present, notwithstanding the Indians hath begun Hostilities, having taken or Killed a man last month within 30 to 40 miles of Clarksburg. Be so oblidging as to write to me the reason of the detention of the money by the stage to Alexandria, addressed to the care of Mr. Joseph Tidball, Merch't, in Winchester, from whence I shall safely get it.

I have, &c.

Mar. 23d

Augustine Davis to Arch'd Blair, Esq.

Richmond

Be pleased to lay the enclosed account before the Honorable Board at their next meeting, which you informed me would be to-morrow,

and oblidge, sir, y'r ob't serv't.

The Commonwealth of Virginia,

To Augustine Davis, Dr.

To printing four hundred copies of the Revised Code of laws that were not printed in 1792, making 30 sheets, @ 20 dollars per sheet, £180.

1794, M'rch 20th.

Mar. 23d

Wm. P. Mathews to the Governor.

Norfolk

The enclosed letter from Col. Hamilton, Brittish Consul at this place, I received yesterday. I informed Col. Hamilton that as an officer of the militia I had received no orders respecting the ——, but would communicate it to your Excellency for instructions. There seems to me to be no intention in the party complained of, to violate the neutrality pointed out by the President. The vessel is intended for Bilboa, and the owners are desirous of arming her for protection against the Algerines. This appears to me from the regulations I have seen to be warranted by the President's instructions.

I am, &c.

SIR:

Information has been given me that the Chickamaugus which cleared out and sailed from hence without having any guns on board, is now in Hampton Road, and has mounted Eight Guns. Conceiving that this equipment is a contravention of the regulation adopted by the President, I have to request that you will inquire into the intelligence I now communicate, and should the circumstance I represent be deemed an infraction of the rules I refer to, that you will take the necessary steps to prevent the sailing of the above mentioned vessel. 1794. Mar. 23d

I have the honor to be, Sir,
Your most obed. humble serv't,

JOHN HAMILTON.

British Consul's office, Norfolk, Virginia, 18th March, 1794.

To Gen'l Thomas Mathews, &c.

ROBERT TAYLOR, MAYOR OF NORFOLK, TO THE GOVERNOR. Mar. 23d

I take the liberty to enclose a copy of a letter from the Commander of the British ship Doedalus, and my reply, and to enclose a memorandum of a conversation with the Captains of the French ships in the presence of the French Consul, respecting that ship, and which occasioned the correspondence with Sir Charles H. Knowles. It is also my duty to put under cover to you a letter of the 18th March from the British Consul, respecting the ship Chickamaugue. Norfolk

I have, &c.

Doedalus, Norfolk Harbour, Virginia,
March 19th, 1794.

Sir:

You did me the favour to mention a Requisition of the French Captains and which to the best of my recollection was that I would not remove my ship from her present situation as they could not be responsible for the conduct of their crews. I have not the smallest doubt of your veracity, Sir, or that of the French Officers, but you will I hope forgive my soliciting, you will be pleased to acquaint me in writing of the particulars, because oral information is liable to be misconstrued, and your letter will exculpate me for not proceeding to sea immediately.

I have, &c.

To Robert Taylor, Esq.

1794. Robert Taylor, Mayor of Norwich, to Sir Charles Henry Knowles.

Norwich, March 19, 1794.

Mar. 21 Norfolk. I have the honor of your letter of this morning, desiring I would return in writing the conversation that passed between the Commanding Officers of the French ships Tigre, Jean Bart and Charrant, in the presence of the French Consul, Mr. Oster. I requested those gentlemen to put their propositions on paper, but which they declined to do. They answer that they respect the neutrality of the United States, and would do nothing wrong, or that might be supposed to be a violation of the neutrality, but in the present situation of the French fleet here, which would depart in a few days, they could not let the Doedalus pass them in Hampton Road; and the Captain of the Tigre observed that as commanding officer of the French fleet during the absence of Admiral Vanstabel, that he should consider it his duty to prevent it, but that 14 days ago, when the French fleet was not ready for sea, that your ship might have passed without insult or molestation, and that at present they hoped you would not anchour your ship near theirs, as insults might be offered by the crews which they could not foresee or prevent. It is impossible to recollect every observation that was made or the precise words used in a conversation of some length between three or four persons, but what I have now written is, I am certain, in substance, the whole that did pass, which, with the knowledge and consent of those Gentlemen I immediately made known to you, and allow me to observe that in this and every other transaction of a publick nature I have been governed by my sense of its being my duty to observe an exact neutrality, and to preserve the peace and order of the town and the ease and tranquility of its inhabitants. Permit me, Sir, to put you in mind of your promise that you would not leave this Port till after the French Fleet had sailed, and that it is our idea of neutrality that a ship should not follow an Enemy's in less than twenty-four hours after she has left a neutral port.

I have the honor to be, &c.

MEMORANDUM.

On Sunday Evening the 16th inst., the French Consul, Mr. Oster, accompanied by the Captains of the French ships Tigre and Jean Bart, called at my House, when the Captain of the Tigre and the consul, both of whom speak English, informed me that the Frigate Doedalus, Sir Charles Knowles, appeared to be ready for sea, and that they had heard it was about to leave this port for that purpose. The Captain of the Tigre observed that he wished to do nothing wrong, but to pay every

attention to the neutrality of the country, but as Commander of the French fleet in the absence of Admiral Vanstible, he would not be Justified in permitting the Doedalus to pass him in Hampton Roads, and that he should prevent it, and which he wished Sir Charles Knowles to know for that although fourteen days ago he might have passed and went to sea without molestation, yet at present, when the French fleet would sail in a few days, he thought he should not act right to permit it. From these Gentlemen mentioning it to me, I understood it to be their intention that I should make this conversation known, which I promised them to do that evening to the British Consul, and that as I expected them at Breakfast in the morning, I would inform them of the result. Col. Hamilton, the Brittish Consul assured me that Sir Charles Knowles had no intention to leave the country at present, but his situation here being disagreeable, he meant to go down as low as Craney Island, but that he would pawn his honor that Sir Charles Knowles should not leave the country in less than twenty four hours after the French fleet, or that if he was allowed to depart first the French Commander must also promise not to follow him in less than twenty-four hours; that the French commanding officer might take his choice of the two propositions. Late that night I received a letter from the British Consul, which is annexed, requesting me to put the conversation between the Captains of the French ships, the consul and myself to writing. This I declined to do, as I had written to the French Consul requesting he would do so, who with the Captains of the Tigre, Jean Bart, and Charant called on me the next morning. I related what had passed between me and Col. Hamilton, as the Captain of the Doedalus was not on shore, and his wish for them to reduce our conversation to writing, which they refused to do, but at the same time repeating that they respected the neutrality of the Port, and would do nothing against it, and therefore wished the Doedalus would not attempt to pass them in Hampton Roads, as it was their duty to prevent it, or anchor near them, as in this last case, insults might happen which they could not guard against nor prevent. I again promised to make this known to Sir Charles Knowles or the Brittish Consul, and which I did immediately to the former Gentleman in the street, and who requested if I met with the commanding officer of the French Ships to inform him that he had no intention of passing them in Hampton Roads, at the same time observing that as his ship gave umbrage, and he was himself subject to insult, that he might perhaps move his ship from before the town to Craney Island. 1794. Mar. 23d

My avocations during the day or my supposing what had passed in the morning sufficient occasioned me to neglect to inform the Captains of the French ships of the conversation between Sir Charles Knowles and myself. I was called on in the evening by Mr. Moses Myers the French Agent here, and told that the Captains still in town were uneasy as they heard that the Doedalus meant to pass them. To Mr. Myers I related what had passed on the subject and my reliance that it need not

1794. Mar. 23d

be apprehended. but that I supposed that she would perhaps go to Craney Island to be out of the way of the Town. He observed that he feared any attempt to move the ship would be considered with an intention to try to get to sea. and hoped it would not be attempted. and requested that I would if possible prevent it. as. should any confusion ensue, it might be attended with very serious consequences to the town. As my whole wish in this business has been to preserve its tranquility, I again waited on the British Consul. who assured me that the Daedalus had no intention now of removing from her present anchorage.

I sett these circumstances to paper least at any future period when they may have escaped my memory I should be called on respecting them.

It is possible that I may have omitted some of the conversations, and that I have not expressed every observation in the precise words used, but I am confident that the above is in substance the whole that passed in my Seperate interviews with the Captains of the French ships, Mr. Oster. Col. Hamilton & Sir Charles H. Knowles, respecting the detention of the Daedalus.

Norfolk. March 19th. 1794

ROBERT TAYLOR.

Mar. 23d

WM. DAVIES TO THE GOVERNOR.

Broadway

I have received some time since your Excellency's letter enclosing my commission as Agent of this District, and a copy of the laws which declare my duties. I have waited for something further, as at present I have no knowledge of the delinquents nor of the sums due. This information probably is afforded thro' the medium of the Auditor, but as I suppose he acts in this matter, under directions from the Executive, I have thought it necessary to inform you that I have as yet received nothing more than I have mentioned above.

I have the honor to be, &c.

Mar. 24th

SAM'L COLEMAN TO THE HON. GEN'L WOOD.

Council office

The amendatory militia law has created 19 additional Regiments, viz. for each of the Counties of Shenandoah, 97, Fauquier 85, Accomack 97, Amherst 90, Norfolk, 95, Halifax 84, Pittsylvania 101, Dinwiddie 83, Mecklenburg 98, Bedford 91, Albemarle 88, Brunswick 96, Montgomery 86, Wythe 100, Prince William & Hanover 93.

The following counties, which formerly only composed a Battalion, now compose a regiment each: King William & King & Queen 87, Nor-

thumberland & Lancaster 92, Russell & Lee 94. Be pleased, Sir, to suggest to the Board the propriety of ascertaining which of these counties respectively shall retain the number of the Regiment which they formerly both composed. They will then be enabled by lot to ascertain the respective numbers of the 19 additional Regiments, beginning with 83. 1794. Mar. 24th

I have the honor, &c.

The Battalion having the greatest No. of militia is to return the No. of the Regiment. Any officers reappointed who has been heretofore commissioned in the old Regiments to take rank from the date of the former commissions, the 19 add'n'l Regiments to be numbered by lott from 83 to 101 inclusive. According to the above direction the counties of King William, Lancaster & Lee must be included in the Lottery for the numbers of the 19 additional Regiments, as the counties of King & Queen, Northumberland & Russell contain the greatest number of militia.

THOS. LEE, JR., TO THE GOVERNOR. Mar. 24th

The letter you wrote me on the 18th ult. has been duly received. A day or two before a writ had been served on me to stay the sale of a considerable proportion of the Bristoe land. This induced me to postpone the sale of the whole until the determination of the suit, thinking it most advantageous for the Commonwealth. I have attended several days since to the taking of Depositions by the Tenants' Attorney. I have now to request a blank Dedimus and Subpœnas may be shortly sent up to me for the purpose of taking some depositions on behalf of the Commonwealth. So soon as these are taken I shall do myself the honor of transmitting you as full a statement of the business as I am capable of, for the information of the Attorney-General, and should it be thought necessary for me to attend for further information to him on the day of trial I will do it. Several of the tenants informed me they have money to discharge their replevy bonds, but as their rents are in Tob'o, I have not thought myself authorised to receive anything else. it would facilitate the collection much if I was authorized to receive cash in lieu of the Tob'o at the current market price. Park Gate

I have the honor to be, &c.

JOHN MCCOLLOCK TO THE GOVERNOR. Mar. 24th

This comes to inform you as near as I can, how matters is going on with me. I have only got a part of my company as yet, and find it hard to raise the men, for want of the last year's pay coming forwards; Ohio county

1794. Mar 24th

and as I cannot assure the men who will be Lieutenant this year, as we shall not no till I hear from you, and the Pensilvanians is giving six dollars and two-thirds of a dollar a month to men for the same service and find them in Guns or pay their men for the use of their guns if they find themselves, all make against our Recruiting. I have the spies out, but they have not seen any fresh signs of Indians this Spring. I shall be as attentive to my duty as I can, & do everything in my power for the safety of the frontiers. I am bad off for want of ammunition for the use of my company, as I have but one quarter cask of powder. and but 20 lbs. of lead at present, and not one flint. I have seen Col. McClung since I came from Richmond, and he told me he had some powder but no lead. Please to instruct me how I am to get ammunition & Gun flints for the use of my company, & I hope you will inform me when we may expect our pay for last year if you can, as we have much need of it. I hope that your Excellency will send the orders. particularly respecting my duty, but hope you will enable me to do something in the woods if in my power. Our Virginia Spies thinks it hard that they are not allowed Rations and ammunition, as all the Spies that is in the service here besides them gets a Ration and half per day and a pound and half of powder and three pounds of Lead per month, and they desired me to write to your Excellency about it, and hope that the Executive will allow them as much as any men that is in the same service.

As I have not received a Commission for this year, & suppose the one I had last year to be void, as it was for the year 1793 only, I have thought proper to mention it. I have nothing more at present, but have the honor to subscribe myself, &c.

Mar. 24th

II. Knox, Secretary of War, to the Governor.

War Department

I am instructed to transmit to your Excellency the enclosed copy of a law relatively to the fortifications of the ports and harbours therein mentioned.

And as a judicious choice of the places to be fortified and vigorous prosecution of the works may be of great importance to the State of Virginia, the President of the United States requests that your Excellency, as the commandant in chief of its militia would please to take upon you the general direction of the business. An Engineer will as soon as possible be appointed. He will be directed to prepare and submit plans of the works to your consideration, and upon your approving thereof to have them put into a train of immediate execution; some suitable provision will also be soon made to obtain the necessary materials and workmen.

The number of men and cannon designed for Norfolk and Alexandria and also the amount of the expenses to be incurred at those places will

hereafter be transmitted. If the State of Virginia is in possession of any good cannon of and above the calibre of eighteen pounds and which could be appropriated for the fortifications within the said State, a return of them is requested together with the condition of their carriages and apparatus in order that necessary repairs be provided without delay. 1794. Mar. 24th

I have the honor to be, &c.

H. KNOX, SECRETARY OF WAR TO THE GOVERNOR. Mar. 24th

Colonel Parker has recommended Mr. Daniel Bedinger of Norfolk as a proper person to have new carriages made for the cannon at that place. War Department

If you should be of opinion that Mr. Bedinger would be a proper person I pray you to cause the enclosed letter to be given him placing his name thereon; If not, that you would appoint some other more suitable person for the purpose. If you should not readily know of a proper person, it is probable that Colonel Carrington might recommend one to you. Whether the cannon are the property of Virginia or of the United States, it is probable they may be for the present appropriated to the defence of Norfolk. One hundred 32 pounders are intended to be cast, a proportion of which may, if those at Norfolk are not of sufficient calibre, be transported to that place.

Proper arrangements will also be made for the transportation of shot and ammunition for the cannon at Norfolk. Captain Hannah will be ordered to embark at Alexandria with his recruits, and proceed to Norfolk as soon as the Secretary of the Treasury shall make arrangements with some person at that place to furnish the necessary supplies of provisions, &c., for the troops.

The case of Alexandria is not considered so pressing as that of Norfolk, But cannon which are now at the Head of Elk will be transported to the former place as soon as the carriages shall be made for them.

I have the honor to be, &c.

ANDREW LEWIS TO THE GOVERNOR. Mar. 25th

Last Evening I returned from the Frontiers. On the Nineteenth of February I left Fort Lee with thirty-seven men, and took the following Rout down Powell's Valley: passed Cumberland Gap, went some distance on the Kentucky Trail; then down Cumberland River two days' march, and struck the War road leading from the Cherokee Towns to the Kentucky trace. I followed that half a day, then came to where mother road left that, which appeared to go to another part of the Kentucky trace, nearer that settlement. On searching those roads well, Vauses

1794. Mar. 25th could make no discovery of Indians lately passing on it. I proceeded on the same road towards the Nation the Ballance of the Day. In the morning I left it, bore a west way down the clear Fork of Cumberland, and that Evening I rafted the River near the mouth, and marched four days and a half a west course, and struck the war path above mentioned. Being then much nearer the nation, the road of course was much larger. I proceeded on that the distance of twelve miles, and fell on a River unknown to any person on our Frontiers; Left the road and went up that to the head, and struck Emery's River, which led us through Cumberland Mountain. From thence I marched on the South side of s'd mountain to the lower station in Lee County, & arrived there on the 10th of this inst.; & altho' all the pains and fatigue I had taken, on the 12th a company on their way in from Kentucky, about thirty-four miles from where I came to the settlement was fired on, and four men out of thirteen were killed, and one wounded. Had I have heard the news before I marched from the lower station, fatigued as we were, I should undoubtedly have repaired to the place of the ——, & am certain could have overtaken the Indians, but having ranged but one day in the settlement of Powell's Valley to get provisions to carry us to Fort Lee, did not hear it untill the day I arrived at that Post, which was on the 15th. In this town I made no discovery of any very late sign of Indians. Saw a vast number of very large camps, but believe that few of them were visited by the Enemy since the latter part of the Fall. I, however, had the pleasure of discovering the most Beautifull country I ever saw lying between Emory's river and Powell's; not only the finest soil I ever saw, but you may travel fifty miles without finding any rise. As to water, none can exceed it for good springs. I am for another reason well satisfied with making the tower, having made myself acquainted with every Gap and different passes that the enemy can pass through either coming to, or returning from our frontiers. I am well convinced that the Indians can never be prevented from their mode of going to war in small parties against us until we are allowed horsemen as well as foot, for when they come in and either does murder or steals horses, they cross Cumberland mountain at or near the gap, through which the Kentucky road goes, and pushes Imediately for either Emery's or the Hickory Gap, and then they are in this Level country, and it is impossible for foot men ever to come up with them; but if a few horsemen were always in readiness, & in case of mischief to send the foot on their trail, and the horse to rush on to the above Gap and wait their coming, a party could never escape, and a finer country for horse to act in never was seen. Knowing it to be to the advantage of our exposed fellow citizens, I am induced to make the following proposal to your Excellency to allow me to mount twenty-five or thirty men out of my Company. There is that number willing to furnish themselves with good horses, if the sum of ten pounds is allowed each man to equip themselves with swords, pistols, and forage. They should also have go-

rifles, and always prepared to act either on horseback or on foot as might be judged best. If the swords and pistols could be furnished us out of the public magazines to be returned at the end of the service, seven or eight p'ds per man would be sufficient. I do not propose this plan as an additional expence to the provision already made for our Frontiers, but as a mode not only to lessen the Expence, as well as a certainty of success, knowing that Lee County would be better guarded by twenty-five or thirty horsemen and fifteen foot, than with a full company of foot, and as none but ten or twelve of Captain Hawkinses Company is recruited, and them by Lieutenant McGavock who is marched out. As to Capt. Hawkins, I cannot hear of him, nor can I learn of his making ready to take his post. I saw Ensign Campbell the other day, who informed me that he had taken the Deputy Surveyor's place in Lee county, and that he had not enlisted a man, nor did he think he would serve the present year in the defence of the Frontiers. I told him he ought Imediately to come to a determination, and if he did not soon make your Excellency acquainted with his resignation, that another person might be appointed and they troops raised. At present they company immediately under my command are scattered at the distance of one hundred fifty miles, and of course can act only on the defensive. Now, Sir, was Captain Hawkins' company to consist of two commissioned officers and forty privates, and part of the money that it would take was they company * * * applied as I have requested. I would even venture to be put to the torture if the Enemy visited our county. If I did not produce to the Executive both scalps and prisoners before the season is out. If this scheme is approved of I will in a short time after I receive your answer, have them reviewed well equipped. An order would be necessary for they arms. I saw Capt. Crockett on Saturday last. His company was mustered, and wanted but twelve men to be compleat. 1794. Mar. 25th

I am, &c.

P. S. Capt. Hawkins does not serve. I think Lt. McGavock who ever has been attentive to his Duty, is entitled to the command of the Troops allowed to that Company, & if a vacancy of Ensign for that company should happen, you will pardon my recommending Mr. James Bryant, of Montgomery county, & will engage his quota to be soon complete.

I am, &c.

A. LEWIS.

EMBARGO ON SHIPS AND VESSELS. Mar. 26th

In Congress, March 26th, 1794.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That an Embargo be laid on

1794. Mar. 26th all ships and vessels in the Ports of the United States, whether already cleared out or not, bound to any Foreign Port or place, for the term of thirty days; and that no clearances be furnished during that time to any ship or vessel bound to any such foreign port or place, except Ships or Vessels under the immediate directions of the President of the United States; and that the President of the United States be authorized to give such instructions to the Revenue officers of the United States as shall appear best adapted for carrying the said Resolution into full effect.

FREDERICK AUGUSTUS MULENBURG,
Speaker of the House of Representatives.

JOHN ADAMS,
Vice-President of the United States, and President of the Senate.

Approved March the twenty-sixth, 1794.

GEORGE WASHINGTON,
President of the United States.

By direction of the President of the United States, all armed vessels possessing public commissions from any foreign power (letters of Marque excepted) are considered as not liable to the Embargo.

Mar. 27th BARHELOT ANDERSON, ESCHEATOR, TO THE GOVERNOR.

Sir:

Hanover Agreeable to a letter I have lately received from you, directed to the Escheator of Hanover, I transmit the enclosed papers, &

Am very Respectfully, &c.

The Commonwealth of Virginia,
In account with Barhelot Anderson, Escheator, Dr.

1780.				
Feb'y	9.	To cash paid Messrs. Dixon & Nicholson, printers, for advert'g sale of Brittish property in Hanover, 54 Dollars,	16	4 0
		To cash paid Messrs. Clarkson & Davis, printers, for the same services, 70 Dolls.,	21	
March	13th.	To cash paid John Hundley, for going for & bringing 3 Negr's, Sarah, Barbary & Milley, to the place of sale about 8 miles, bel'g to Donald. Scott & Co.,	5	
		To cash paid John Hundley, for one day's crying the s'd Estates, 50 Dollars,	15	

rch 13th.	To the Escheator, his commissions, 3 pr. ct., for 1 Thousand on each Estate sold, & 1½ pr. ct. for the remainder, agreeable to Act of Assembly,	760	19	0	1794. Mar. 27th
	To John Lawrence, comm'ns 2 days' attend'g the sales,	40			
	To Ambrose Lipscomb, 1 Day,	20			
		£878	3	0	
	Balance,	46,702	17	0	
		£47,581	0	0	

Cr.

rch 10th.	By Thomas Smith, for the sale of 1 unimproved Lott in Hanover Town belonging to James Esten, a Brittish subject, & Escheated to the Commonwealth of Virginia,	200	0	0	
	By James Marsdon, for the sale of the ⅓ part of 4 unimproved Lotts in Hanover Town belonging to John Johnson, John Smith & George Thamas, the s'd Johnson being a Brittish subject, & Escheated to the Commonwealth,	240			
	By George Pottie, for the sale of the ¼ part of 1 Lott & Houses in Hanover Town, belonging to Alex'r McAuley, himself, & Geo. Brackenridge, the latter having 2 parts, the s'd McAuley being a Brittish subject, & Escheated to the Commonwealth,	710			
	By Mr. De Francais, for the sale of 2 Lotts & Houses in Hanover Town, belonging to Donald, Scott & Co., Brittish subjects, & Escheated to the Commonwealth (Mr. John Howard a partner),	10,000			
	By —— Crutchfield, for the sale 2 Dittoes, same as cash,	4,550			
	By Mordecai Adams, for 1 Black walnut Desk, belong'g to the same comp'y,	260			
	By Thomas Smith, 1 negro man named Abram, belonging to the same company,	6,011			
	By Thomas Tinsley, for 1 Negroe man named Simon belong'g to the same comp'y,	3,015			
	By John Jones, for 1 negroe Girl named Barbary bel'g to the same comp'y,	3,455			

1794. Mar. 27th	March 10th.	By Jas. Marsdon, for 1 negroe woman ——, & girl, Milley, bel'g to same comp'y,	4,910
		By Mr. Defrancey, for 1 Lott of Houses in Hanover Town bel'g to Archibald Govan, a Brittish subject, & Escheated to the Commonwealth,	2,000
		By Thos. Smith, for 1 Negro fellow called Urbanna Dick, bel'g to Arc'd Govan,	3,030
		By Ditto, for Ditto, named Boston, bel'g to Ditto,	4,505
		By John Cock, for 1 Negroe man named Jamie, bel'g to Do.,	2,000
		By John Ingram, for 1 Negroe man called Damascus Dick, bel'g to Ditto,	2,310
		By Wm. Anderson, for 1 Flatt, bel'g to Ditto,	325
		By Wm. Clopton, for 1 old Do., a ground bel'g to Do,	60
			£47,581 0 0

Hanover—S'c:

We, the subscribers, appointed Commissioners to Superintend the sales of the Brittish property in Hanover county, do hereby certifie to the Auditor of public accounts according to act of Assembly that this account is Just & right.

Given under our hands this 14th day of March, 1780.

JOHN LAWRENCE,
AMBROSE LIPSCOMB.

Auditor's Office, 25th March, 1780.

Received of Barhelot Anderson, Escheator for Hanover, the Treasurer's Receipt for forty-six thousand seven hundred and two pounds, seventeen shillings, being in full for Brittish property sold by s'd Escheator, & from which he is hereby discharged.

THOS. EVERARD,
EDWARD ARCHER.

£46,702 17.

The Foregoing account & receipt is a true copy taken from the originals in my possession this 27th March, 1794.

BARHELOT ANDERSON,
Escheator Han'er County.

H. KNOX, SECRETARY OF WAR, TO THE GOVERNOR. 1794.

The Bearer, Major Rivardi, is the Gentleman whom the President of the United States has appointed for the purpose of fortifying Baltimore, Alexandria and Norfolk. The circumstances of the latter Port being considered as the most pressing, the Engineer will at present make but a short stay at Baltimore or Alexandria. He is directed to furnish your Excellency with a copy of his instructions. Mar. 28th War Department

I have the honor to be, &c.

WM. LINDSEY, COLLECTOR, TO THE GOVERNOR. Mar. 29th

Complaint has been lodged with me by the Brittish Consul, that a Ship called the Chickamauga, built in the United States and recorded in this office, is now armed & ready for Sea. There is also a Brig called the Sally, belonging to George Lynham of this place armed. Both of those vessels are loaded with Flour, & have cleared for Spain. A vessel is now building in Portsmouth & has every appearance of an armed vessel. Norfolk Collector's office

I am, Sir, &c.

R. WEST TO THE GOVERNOR. Mar. 31st

Will you Excuse me for the trouble I give you in a Business with which you have no interest? I am investigating Bennets Right to hold property in this county. It will require abilities transcendant to any I possess to do the Commonwealth justice. I therefor beg if it is compatible with your station and the propriety of the case that you would assign me council for the purpose of doing the business effectually. Monday next is the day of trial & the Friday following in Loudoun. W. Grove

I wrote you some time ago upon the subject but rec'd no ans'r.

Yours, alwas, &c.

WM. DAVIES TO THE GOVERNOR. Mar. 31st

I have this day received by Express sundry executions directed against Delinquent Sheriffs. Two of the Executions are directed to Mr. Holliman, late Sheriff of Southampton, who is now deceased; some difficulty will probably arise on that score. I will make enquiry for some person in the county of Isle of Wight to act as Collector. At present I am not sufficiently informed. Broadway

I have the honor to be, &c.

1794. R. QUARLES TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Mar. 31st Inclos'd you will find the customary Quarterly Returns with the pay Rolls for the different —— under my direction in the service of the State. You will observe I have taken the liberty to augment the salary's of several of my workmen. In doing which I was actuated by the two following reasons: to reward their merit, & to keep them in my service. The wages given at New London by the Continental Superintendant being nearly three times as high as my workmen receive, made it necessary to make some small addition to their wages & to use some address to retain them in the State services. This I have done & trust it will meet with the approbation of the board. The contract entered into with Mr. Taylor respecting the musket mountings as directed by the Board, obliges him to deduct in my settlement with him the Debt due from him to the Commonwealth, but as he wishes at this time to receive a part of the money due for this quarter in order to forward his business, he proposes paying only half the debt at present, & solicits indulgence for the Balance until the end of that Quarter.

I have proceeded to take the advice of a mill Wright respecting the erection of a Bayonett mill at the Post his opinion is that the Stream of water is insufficient for the purpose. In consequence of this I have conferred with Mr. Ross & am induced to believe I can establish a machine for the above purpose at his mill (which will answer the Temporary purpose of Grinding the Bayonets now on hand), on better terms than at the Barracks. The Board will favor me with their instructions on the subject, & particularly oblige their ob't serv't.

April 1st JAMES MCCRAW APPOINTED ESCHEATOR.

Halifax county At a Court held for Halifax County 19th day of August, 1779:

Jas. McCraw commissioned as Escheator in Halifax with Walter Coles, Isaac Coles, and Paul Carrington as securities.

Same continued as same April 1, 1794.

April 1st SAMUEL COLEMAN TO THE LIEUTENANT-GOVERNOR.

As usual I have examined the quarterly return from the Point of Fork up to the 31st of March, 1794, and find the balance of the Pay Roll for the Superintendent, Artificers, and Guards to be one hundred and seventy-seven pounds, five shillings, and ten pence half penny.

The Superintendent exhibits a half yearly statement of the expense of Cloathing to the Guard, amounting to £39. 0. 0.

A statement of Expense incurred for making 1,000 Cartridge Boxes, Forty-eight musket stocks, and 300 set of Brass mounting, makes the same amount to £376. 1794. April 1st

The account of the contractor for furnishing the Post with Provisions for the last quarter, amounts to £79. 8. 6, of which the Superintendent has advanced £25. 6. 5¼, leaving a ballance of £54. 2. 0¼. due to the contractor.

The account current between the Commonwealth and the Superintendent makes a balance due him of £30. 5. 6¼. Such items of this account as are supported by vouchers are marked, and the same together with the vouchers, the contractor's account, return of Cloathing, quarterly return of arms, and pay rolls, are herewith submitted.

I have the honor to be, sir, &c.

R. QUARLES TO CAPTAIN SAMUEL COLEMAN, CLERK OF COUNCIL. April 2d

The bearer, Capt. John Tinsley, is one of the unfortunate number who has experienced inconvenience from the non-payment of the last Quarter's Wages due to the people in my employ. He has just returned from Philadelphia, and has there made a contract with an officer of the Federal Government similar to that made with me in the line of Cartridge Boxes. His business I believe to Richmond is to obtain materials for the fulfillment of his contract, which he cannot do without the assistance of the Treasurer. The warrant I received when at Richmond is still in my possession, nor shall I attempt or expect to receive any money on it until I again visit Richmond. Point of Fork

It will therefore be nothing more than justice to pay Capt. Tinsley something for his services. The amount of his apc. is one Thousand dollars. He tells me that 2 or 300 would now answer his purposes, which if paid him I will credit on the warrant in my hands.

You will favor me by letting the Executive know the contents of this letter, and you will oblige me by making particular enquiry of the Executive when I may attend for the adjustment and discharge of the apc. due the Garrison. By attending particularly to the injunctions of the above, you will oblige yours, &c.

Sir:

Agreeably to orders received from Brigadier Benjamin Biggs, I summoned a Court-martial to meet at the town of West Liberty on the 20th day of last month, for the tryal of Lieutenant Joseph Biggs. The opinion of the court, together with the several depositions of the respective witnesses, I have herewith inclosed. The nature of the business made it absolutely necessary for me to send the proceedings by Express, as the men inlisted by Lieutenant Biggs for the defence of our April 2d West Liberty

1774. Inventor is not willing to go on any other measure until they know
April 21 who will command them.

I was the number of Books containing Steuben's Military Exercise and the articles of war allotted for Ohio County Court * * * by mistake. Mr. Biggs as we are at a great loss for the want of them, not having more than two in the county. It is expected the Executive will make provision for paying the Express. If there is anything allowed by Law to the Court Clerk, witnesses and Provost martial for their services attending the aforesaid Tryal, you will please to inform me in what manner it is to be claimed. The time spent in doing the business a few days.

I am, sir, your most obedient servant,

MOSES CHAPLINE.

N. B—At the request of Lieutenant Joseph Biggs I have enclosed a copy of two depositions respecting his good character.

M. C.

Dr. Sir:

By the Bearer, Mr. Wm. Boggs, my resignation as Justice of the Peace is sent forward which pleas to accept in order that I may Get from among a collection of the off scourings of the Earth, of which part of Ohio County Court Consist. My reasons for resigning was that I would not set with roughs: the Court then sitting accepted of it, &c.

When you are sending forward Steuban's Exercise to the Officers of this County, which I expect will be by the Bearer, if there is any put in print for the Training of the Cavalry, please send forward one for the use of our half Troop, or if none is convenient the necessary Terms or words of command used in Exercising horse, as we are at a Great loss for want of Instruction, &c.

I have the Honor to be with Deference,
Your Excellency's very Humble Sarv't,
WM. McKINLY,
2 Lieut. in Troop of Cavalry.

April 21 H. CAPERTON TO THE GOVERNOR.

Sir:

In several of my last letters to you I informed you that if my presence was necessary before the Counsell I would attend; this I should have Done had not the Small pox have been in Richmond—if a doubt Remains with your Excellency, it is my sincere wish that every thing respecting my conduct while an Officer may be fairly inquired into.

I am not affraid when the matter shall be set forth in its proper colours, but that I shall appear to be innocent of those Black and malignant charges which have been levelled against me By Colo. George Clendenin. 1794. April 2d

I hope you will take notice of his conduct if it comes officially before you and let him not pass with impunity; on the contrary please inform me.

James Breckenridge, Esq., who has been polite enough to promise to Deliver this to your Excellency, is in possession of things Relative to this affair, to whom, if application is made, will be good enough to relate. I am about to commence prosecution against Colo. Clendinen for the false testimony he gave against me before the Court Martial, and I have not a doubt but I will be able to produce abundant proof to convict him.

I would therefore submit it to your Excellency whether it will not be most proper to grant me a Rehearing before another Court Martial, or to postpone your Definitive sentence upon my conduct until the issue of this prosecution are known, altho. I am extremely solicitous to be relieved from my present state of suspence. Notwithstanding, if your Excellency should think fit to adopt the latter measure I shall cheerfully submit.

I am with respect and esteem,

Your Excellency's ob't Serv't.

John Ford Tried for Murder. April 2d

At a Superior Court held at Prince Edward courthouse, John Ford was presented for the murder of Joseph Rowton.

For this crime the said John Ford was convicted by said court. Owing to misconduct of a juror, a second trial was granted, at which he was again convicted and condemned on the 10th day of April, 1793.

Petition for Pardon of John Ford. April 2d

A petition of the jury who tried John Ford at the September term of District Court of Prince Edward on the charge of murder for the pardon of said Ford on account of his youth and previous good character, united in by many citizens.

J. J. Ulrich Rivardi to the Governor. April 3d

I have the honour to communicate to your Excellency a copy of my instructions and a letter which will inform you of my appointment. I Baltimore, Starke's Tavern

1794. April 3d embrace the first opportunity to announce you my arrival in Baltimore, in which place I shall be no longer than will be strictly necessary for having the necessary plans drawn submitted to the inspection of the Governor of Maryland, & taken the necessary measures to have them brought into execution, which done, I shall repair with all possible diligence to Norfolk.

Your Excellency will see by the very little sums allowed for the works I am to construct, that I shall labour under no small difficulties if it is necessary to make the points of defence any way extensive and strong. However, with the directions of a man of your military abilities, I hope to give full satisfaction to the Government, as no pains or application shall be neglected on my part. I hope you will excuse the liberty I take by soliciting you to favour me with some instructions concerning the persons I must apply to in Norfolk on my arrival, either for the procuring of workmen, or to give me the necessary particulars in order to enable me to form the necessary estimates required by the Secretary of War. I will then be able to proceed without any loss of time.

I have the honour to be &c.

April 3d INSTRUCTIONS TO JOHN JACOB ULRICH RIVARDI, ACTING AS TEMPORARY ENGINEER IN THE SERVICE OF THE UNITED STATES.

In pursuance of the directions of the President of the United States you are hereby appointed an Engineer for the purpose of fortifying the ports and harbors hereinafter mentioned, viz: Baltimore, in the State of Maryland; Alexandria and Norfolk, in the State of Virginia. You are, therefore, immediately to repair to the ports to be fortified in the said States respectively, and in case the Governors should be near any of the said Ports you are to wait upon them and exhibit these instructions and inform them that you have repaired to the ports aforesaid in order to make the necessary surveys and investigations relatively to your mission, which you will submit to their consideration and take their orders thereon.

As soon as you shall receive their approbation of your plans you are to construct the works and to execute them with all possible dispatch.

The following is an extract of the estimation which the appropriations for the fortifications have been founded. The proportions of expense, therefore, herein stated for the said ports must not be exceeded, viz:

Baltimore 28 pieces.

	Drs. Cts.
Parapets, embrasures and platforms for batteries for 28 pieces, - - - - -	2,015 44
A Redoubt with four embrasures, - - -	810

Two Magazines, - - - - -	400	1794.
Block-house with Barracks, - - - -	500	April 3d
Contingencies, - - - - -	500	
	4,225 44	

	Sub.	Srg.	Corps.	Mus.	Privs.
Garrison to consist of	1	2	2	2	24

Norfolk 24 pieces.

Batteries, embrasures and platforms, - - -	1,727 52
Redoubt with embrasures, - - - -	810
A Magazine, - - - - -	200
Block-house or Barracks, - - - -	500
Contingencies, - - - - -	500
	3,737 52

	Sub.	Srg.	Corps.	Mus.	Privs.
Garrison to consist of	1	2	2	2	24

Alexandria was inserted by the Legislature and not contained in the Original estimate. It is therefore at present to be fortified with works for twelve pieces.

It will readily be perceived by the lowness of the estimates that the parapets of the works intended to be erected are to be of earth, or where that can not easily be obtained of an adhesive quality, the parapets may be faced with strong timber and filled in with such earth as can be had.

It is, however, conceived that in most cases earth may be procured and that a parapet made thereof will not only form a solid defence, but even be durable, if the earth be tenacious and properly sloped and sodded inside and out and the seed of Knot grass sown so as to bind the sods and earth together.

It is, however, apprehended that the embrasures made in this manner would suffer from the explosion of the powder from the cannon, and that therefore where the batteries are not en barbette that the embrasures ought to be framed with joist and faced with planks of two inches thick——.

Where the batteries are to be erected on points of land, Islands or other places at a distance from the towns intended to be defended, they ought to be covered or secured by a redoubt or other enclosed work in which the Garrison should reside constantly either in a Barrack or a Strong Block-house, as shall be judged most expedient. But, in general, as the Garrisons will be weak in numbers, a Block-house mounting one or two small pieces of cannon in its upper story, will be more secure, and therefore to be preferred.

These, however, ought not to be much, if any, exposed to the fire of heavy cannon. A Block-house will not contain more than fifty men. If the Garrison therefore should be enlarged tents must be used.

1794. April 3d

The redoubts in general ought to be of a size to contain five hundred men, so as to resist a sudden enterprise of an enemy, and perhaps the idea ought to be embraced in the first instance that they should be of such extent as to admit timber casemates to be erected hereafter, so as to enable the Garrison to resist in some tolerable degree a bombardment.

But it is not proposed at present to erect such casemates, excepting for a magazine, which must be formed of massy timber, and be six feet thick on the roof, exclusive of the earth, and jointed and caulked in such a manner as to be perfectly tight. Care must be taken to have these magazines properly ventilated and free from dampness. They are to be of a size sufficient to hold one hundred and fifty rounds of powder for each piece of cannon intended to be served from it. The spot at which a magazine of this nature shall be fixed, will require great judgment so as to combine security against an enemy either open or subtle, or any danger from common accidents.

Your judgment will also direct what parts of your works shall be protected by freezers and what by palisades, or whether your redoubts shall have embrasures or fire en barbette with small cannon. As the redoubts are to cover the batteries they would certainly secure and resist better without embrasures. The batteries are to annoy.

The choice of ground on which the batteries and works are to be erected, with all the combinations and effects depending thereon, will rest upon your judgment, under the directions of the Governor. It has not been intended by anything herein specified, to point out the particular manner in which the works should be executed. Outlines only have been given to serve in regulating the expense, which is limited by the sums before mentioned.

Some person in whose ingenuity and industry confidence can be placed will be appointed at each of the said ports to superintend the actual execution of the works according to your directions. Arrangements will also be made by him or some other person to obtain the necessary workmen, implements, and materials which will be required in the business. But everything must be previously estimated and calculated by you.

Although the Business herein entrusted to your charge is in itself of an highly honourable nature and strongly evincive of the confidence of the President of the United States, and which would probably enhance your reputation, yet it is explicitly to be understood by you that the employment is only temporary and not conferring any military rank whatever.

For a compensation for your services and personal expenses, you will be allowed and paid at the rate of four dollars per day while you shall be employed. For all reasonable extra expenses, such as necessary boat-hire and persons to assist in your surveys, you will be allowed, but for those you must keep regular accounts and take receipts.

You are to deliver to the Governors copies of all your plans, surveys

soundings, &c., and also transmit copies of the same to this office. You are also to make a weekly report to this office of your proceedings. 1794. April 3d

I have issued my warrant in your favor for two hundred and fifty dollars as an advance of your compensation and personal expenses.

As it is conceived the case of Norfolk is the most pressing, you will stay no longer in Baltimore than is necessary to inform the Governor. Mark out the work, and leave the execution for the present to Captain Stricker, or some other person whom the Governor may appoint for that purpose.

You will please also to give every necessary direction or advice relatively to the mounting of the cannon at those places.

I have written to Captain Stricker at Baltimore, and the Governor will appoint some person for Norfolk. Col. Fitzgerald of Alexandria may have the superintendence of mounting the cannon at that place. A reverbatory furnace for hot balls must be erected for each battery.

Given at the War office of the United States this 28th day of March, 1794.

Signed H. KNOX,
Secretary of War.

BENJAMIN BIGGS TO THE GOVERNOR. April 3d

Before my departure from Richmond I understood that the rangers for the defence of the Western frontier was to be all stationed on the river Ohio, but received no written instructions from the Executive respecting the same; however, as far as I thought myself justifiable in the business I have gone; that is, I wrote Major Louther informing him of the design of the Executive, and likewise mentioned who was contractor, Informing him at the same time that it would be necessary for him to come down in order to make the arrangements for supplying of the different posts on the river, and also to Asartain the posts necessary to be Occupied by the troops. My letter to him was about the fourth of March last, since which time have received no answer and have therefore concluded that no Instructions have been forwarded to him by the Executive as to the posting the men on the river. These things I have thought proper to sugest to your Excellency in order that any further Instructions necessary might be forwarded by the earliest opportunity; as the contractor has understood that the provisions was to be furnished on the river, he is at a loss as to any other arrangement necessary. The last year's pay not coming forward retards the progress of the present arrangement of defence. No depredations have as yet been committed on our frontier; only one man taken prisoner on the frontier of Harrison county, and a trail of Indians discovered on Middle Island creek who have not struck on any place as yet. No ammunition as yet come

1794. April 3d — forward to supply the posts, only three or four kegs which is forwarded from Morgantown by Col. McCleery—there is yet a quantity of Lead in the possession of Colo. Ebinezer Zane, the property of the United States who is not willing to issue the same to the rangers without authority sufficient to keep him indemnified.

I have the honor to be, &c.

April 3d — JOHN DUNBAR TO THE GOVERNOR.

Aquia — Asking Executive aid in having his bill for repairs done on the Aquia Warehouse, done by order of Court of Stafford.

A warrant obtained from the Auditor for $430. Treasurer offered Dutch Gold or cut silver which was declined. Warrant passed to a friend but payment refused because Auditor said it was issued by mistake, for the reason that the warehouse had reverted to the original owner before the repairs were made.

April 4th — A. LEWIS TO THE GOVERNOR.

Vauses — Since I wrote you on the 25th of March, I saw a Gentleman who traveled in with Capt. Wm. Preston, who is on his way with dispatches from General Wayne to Congress. Capt. Preston informs that some time before he left headquarters that some of the northern tribes had come in with a Flag, and that he believes that their inclination was there for peace. Since that the Indians have had a general meeting, attended by the British Agent, who offered to supply with every material necessary to carry on the war against America. Since that period they are resolutely determined to prosecute the war. The Gentleman that had this from Captain Preston is a person of character, and informs me that Capt. Preston told him that his information was such that it could not be doubted. No doubt but the same encouragement will be held out to the Southern tribes. In that case how stands the situation of our Frontiers. I need not describe to your Excellency the weak situation they are in at present. My company extended from the mouth of Dump's Creek, Russell county, to the lower end of Lee County, at least one hundred and fifty miles. The troops ordered to be raised by Capt. Hawkin's not coming into service is the cause. I hope my last letter will be considered, and if not thought to the advantage of the public to comply with my request therein, that Capt. Hawkins or some other officer will immediately be directed to raise troops. The powder on hand will be not sufficient for the year, and if not objected to, will purchase what may be wanted on the best terms I can. Ensign Colville is now in pursuit of a party of Indians, eleven in number, that

stole nine head of horses from near the Lower settlement in Lee county. 1794.
I flatter myself he will overtake them unless prevented by the Country April 4th
thro' which they pass being very level, and nothing to obstruct the passage of Horse, and the Enemy are chiefly mounted. I shall not return to the Frontier until I receive an answer.

I am, &c.

P. S. I have waited a considerable time for an accidental conveyance, although I think that I would have been justifiable in sending Express; have agreed to give Mr. Craig six Dollars for the delivery of the Letters to you and receive an answer.

A. L.

THOMAS NEWTON, JR., TO LIEUTENANT-GOVERNOR WOOD. April 4th

I received your letter of 31st March last about 2 o'clock this day en- Norfolk
closing a resolve for laying an embargo. Had it come on two days sooner, many vessels would have been stopped. The private acc's of the embargo being laid reached this place on Monday morning last, & several vessels loaded and cleared before the official orders came. The French fleet (which we understand is expected) & many Americans lie in Hampton roads without our power. Every step shall be taken by me to carry the resolve into execution, but suppose Gen'l Mathews will issue the necessary orders.

I am your, &c.

DAVID PATTESON TO LIEUTENANT-GOVERNOR WOOD. April 5th

I have to acknowledge your favor of the 31st of March, and permit me to assure you that every necessary exertion on my part shall be made towards carrying into compleat effect the resolve of Congress of the 26th for that purpose.

I have ordered one company of militia to be in readiness to aid the collector at Bermuda Hundred if required. On a late occasion I have experienced the very great want of arms, &c. in the hands of our militia. I am informed that some time past an offer was made to the then commandant of some muskets, &c. for our County, which it seems was not accepted. I will now gladly receive so many stand as will be sufficient to arm the Companies of Infantry and Grenadeers, under such regulations as may be prescribed, as I have much at heart the training and respect of the militia of our county.

I have the honor, &c.

1794. E. LANGHAM TO THE GOVERNOR.

April 5th Columbia

I send by the bearer, Mr. Hughes, my account for provisions furnished the public post. I have sent it several times, and owing to their being no money in our Treasury, I have not received the money. Please observe that I engaged to furnish provision merely to prevent an imposition on the public which had been practiced. I was obliged to advance my own money and credit to serve the public. I have still to supply the post, and without being paid, my credit will be exhausted. My money is low, and of course it will be hard to get supplied. If there is no money in the treasury, be so obliging to say on the account that it will be paid off as soon as money comes into the treasury, then perhaps I may get money for the account from some neighboring sheriff.

I find by the account in the papers, (which I have long thought in my own mind) that a war is almost certain, and that Independent corps are Justifiable. If I must serve my country in the disagreeable state of warfare, that is the line most pleasing to me. Should you think proper to authorize any such corps, so far as you may think my abilities extend, command me, and if it fits my pride I shall except and exert myself, and am flattered with an idea that I could not only lead a fighting party, but could raise one as soon as almost any one, either cavalry or infantry; my desire would be a few of both.

My apprenticeship in war has been in the artillery, but I think I should be better pleased to be in more active employment; yet should I be honored with a suitable command in that line, I should not be backward in serving my country at any time that I thought it imposed on.

On Thursday last I had the honor to be elected to serve my county in the Gen'l Assembly, & unfortunately was whiped to the poles, and by the strongest party interest in the county.

I have the honor, &c.

April 6th Norfolk

THOMAS MATHEWS TO THE GOVERNOR.

Your letter of the 31st ulto. covering the resolution of Congress, imposing an Embargo on all vessels bound to Foreign Ports, reached me the 4th instant. Private dispatches from Philadelphia had been received by the merchants of this place of the embargo being laid some time before my official account had reached us. The merchants actuated by interest exerted themselves to load and clear out every vessel possible and forwarded them to Hampton Roads. To secure those that are in port from sailing, I have ordered a subaltern, one sergeant, and fifteen men to take charge of an eighteen pounder, and to permit no vessel that their force

can prevent, to pass, without a permit from the collector of the Customs. That such vessel is not comprehended in the Resolution of Congress, I have likewise directed a small detachment under Lieut. Col. Wilson to use every legal effort to prevent such vessels as have departed from port since the Embargo has been officially notified to us, from leaving the State. Enforcing due obedience to the Resolution of Congress is attended with much difficulty in our present situation. 1794. April 6th

The Port unprovided with artillery, (the piece before mentioned excepted) and ammunition of all kinds. No fund established by which on an emergency any exertion would be made with a prospect of success. This situation places the officers in this quarter in a very disagreeable predicament. They may give orders, but not having power to enforce them they become contemptable.

I have purchased one hundred pounds of powder, for which I have drawn an order on the Executive, an order for payment. I hope the measures I have taken will meet your approbation.

I am, &c.

WM. RICHARDSON TO JAMES WOOD, LIEUTENANT-GOVERNOR. April 7th

The Richmond Light Infantry beg leave to inform you that finding they could not compleat the company so long as they continued their Red uniform, determined a few days since to change their coats to Blue with white facings, agreeable to an order of Council. Since which, they have nearly compleated the company, and can give assurances of the full completion in six weeks. As they have been at very considerable expense in their uniform, which would be entirely lost could they not obtain arms, they now solicit a sufficient number of the public arms to be put into their hands, for which their officers shall be accountable, & will see them forthcoming whenever called on for them, and as they have engaged with an armourer by the year for cleaning and keeping the arms of the company in good order, it may be some small saving to the State. Richmond

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A. LEWIS TO THE GOVERNOR. April 8th

The determined resolution of the Indians to prosecute the war against us and the frequent disappointments I have met with in getting a conveyance of Intelligence to your Excellency, convinces me of the necessity of sending by Express, for which purpose I have engaged with Colonel James Barnett, and for his services he is to receive the sum of Twenty-Seven Dollars if not detained. The distance from this to Richmond and back is four hundred miles. My letters of the 25th of March and of this Vauses

1794. April 8th

Inst., will, with this, be handed you by him. I had engaged with a Mr. Craig for the delivery of them, but as he drives a waggon, I think it would not be doing the Frontiers justice to wait his return for an answer. The expectation of Capt. Hawkins' company coming into service induces the Inhabitants that live exposed, and that cannot be covered by the few Troops now in service, to continue in their exposed situation with daily expectation of relief. Were they to be cut off by the Enemy without my giving you notice, should think myself much to blame, but would beg leave still to recommend the plan mentioned in my letter of the 25th of March, as well for the good of the Frontiers as to tend to make the Troops ingaged in your service respectable. It does not appear that the war we are engaged in with the Indians to be the only matter in Question. From the news we have in this Quarter, a British war is to be expected, & I do not consider myself nor Troops under my command to be confined peculiarly to the service we are now engaged in, but in any you may direct. If the horsemen are allowed, swords and pistols sent us, an order given to Col. Barnett, he will receive them & have them forwarded.

The money for the services of 1793 is much wanted; would be glad to know by Col. Barnett when the soldiers may expect it.

I am, &c.

April 8th

A Return of Capt. Richard Bowler's Company of the first Battalion of the Nineteenth Regiment of the Militia of the City of Richmond, together with a return of the arms, &c., belonging to the said Company:

1 Captain; 1 Lieutenant; 1 Ensign; 2 Sergeants; 91 Effective; 20 Removed; 12 Exempted; 3 Died; 3 Added. Muskets, 64 good; 1 bad.

Remarks.—Furnished Thomas Nicholson 25 Stand of arms, having drawn that number as over proportion to my company, the Law allowing only 65 men to a company.

April 8th

J. PENDLETON TO THE GOVERNOR.

Auditor's office

I begg leave to acquaint the Executive that Messrs. Cunningham & Co. have obtained a Judgment against the Co'wealth during the present sitting of the District Court held at this place for a very heavy sum for the value of a Vessel and Cargo destroyed by the Enemy during late war, and as an acquiessance under this decision, will perhaps bring forward a host of Similar Claimants, and the precedent in this instance, if fixed, may operate in their favor, I take the liberty of requesting the commands of you hon'ble Board whether I shall take an appeal or submit to the decision of the District Court. I feel great diffidence in ask-

ing for an Appeal, when I turn my eye to the eminent Gentleman of the Bar and the very respectable Judge who coincide in favor of the applicants, but I am compelled by my regard for the public interest to solicit the direction of the hon'ble Board on this occasion. 1794. April 8th

I am, &c.

Virginia, to-wit:

At a Court of Appeals held at the Capitol, in the City of Richmond, Nov. 12, 1793:

The Commonwealth
against
Samuel Barron Cunningham, for himself, and Company, appellees.

Upon an appeal from a judgment Recovered by the appellees in the District Court held in Richmond the twelth day of September, 1792, whereby it was considered that the Auditor of Public Accounts should issue to the appellees warrants for the sums of two thousand nine hundred and fifty-nine pounds, eight shillings and three pence half-penny, and one thousand two hundred and eighty-eight pounds, seventeen shillings and nine pence one farthing:

On consideration of the transcript of the record and the arguments of the Counsel, the Court is of opinion that under the resolution of the General Assembly of March the twelfth, 1781, the impressment of the vessel and cargo of the appellees in the proceedings mentioned, by order of the Executive, was either authorized or approved, and the Public was bound to pay them for their loss consequent thereon. But that the certificate of the County Court of Nansemond, of June the fourteenth, 1784, when there was no Law in force which authorized County Courts to adjust and certify such claims, ought not to have been admitted to fix the amount thereof which should be ascertained by the original appraisement, if to be had, and liable to no objection as to its fairness or justice; but if that is not to be had, or should be found exceptionable on either of those grounds, then by other satisfactory proof, and that the judgment aforesaid is erroneous. Therefore it is considered that the same be reversed and annulled, and that the appellees pay the cost of the prosecution of the appeal aforesaid here. And the cause is remanded to the said District Court for that Court to proceed to ascertain the loss of the appellees in manner before directed. Which is ordered to be certified to the said District Court.

A Copy—teste:

J. BROWN, C. C. A.

I release two shillings per hundred on the tobacco for which Samuel Baron Cunningham has obtained a judgment against the Common-

1794 April 4th

wealth if no appeal be presented thereon, but if the appeal be prosecuted, then this release is to be of no effect.

JOHN MARSHALL.
Atty for S. B. CUNNINGHAM.

The judgment obtained by Samuel Baron Cunningham against the Commonwealth is only exceptionable in that part of it which allows eighteen shillings per centum for the Tobacco lost; in every other respect it appears to be founded on the Decree of Court of the Appeals.

JAS. INNES,
pro republica.

April 8th

WM. DAVIES TO THE GOVERNOR.

Broadway

Some doubts have arisen with respect to the executions lately delivered to me. I beg leave to submit to your Excellency for further instructions. Two of the *venditiones* against Rogers, late Sheriff of Southampton, are directed to Micajah Hollman, late Sheriff of the same county, who is now dead.

A question arises to whom these writs can now be delivered and who has the authority to execute them. Sect. 19 & 28 of the 16th chapter of the Acts, passed in the Session of 1792, seem to confine the transaction of the business to the High Sheriff named in the *venditioni*; if so, nothing can be done under the present process, and as there seems to have been some connexions in the delinquencies in that county, perhaps it will be eligible as soon as possible to remove this difficulty. With a view to expedite the collection of the arrearages, I had fixed upon early days of sale, as by the 5th section of the act under which I am appointed I appear to have been empowered. It is, however, suggested that on all executions notice of the time and place of sale must be previously published at the courthouse door on a court day, and at some public place near the debtors residence at least ten days before the sale. If such a pre requisite is obligatory in the cases to which my authority extends, it will delay the sales longer than I could wish. If this should be deemed a matter of any moment I shall hope for instructions, otherwise I shall proceed according to customary regulations with respect to other executions.

From the succession of delinquency in Southampton, I fear there is some complexity in the Sheriffs to whom the *venditiones* are addressed that may require them to apply to Assemblies if not Courts. Succession as well as the deceased Sheriff Hollman are both delinquents, and of the same date have each of them two executions now against them. Under these circumstances I hope it is unnecessary if I again

suggest the expediency of instructing me early on the subject of the writs directed to Holliman, especially as Simmons also has one against Rogers, and it would be much better that executions against the same delinquent should all have the same day of sale appointed. 1794. April 8th

I have the honor, &c.

The Fi. fas. having been levied by Holliman, the venditionas were of course directed to him, because the property was supposed to have been in his hands by virtue of the first Executions. The property is Lands & Tenements. If the delinquent will deliver the property, I suppose the agent may act (but of this perhaps it would be best advise with an Expositor), otherwise a Distringas must issue ag'st the Estate of Holliman in the hands of his Ex'or or Adm'or, on the return of the Vend's, and a Cer'f'e must be obtained from the Clerk of the County Court to ascertain the name of the Ex'or or Admin'or.

J. PENDLETON.

A. Office, 12 April, '94.

In addition to the observations of the Auditor on the enquiries contained in Mr. Davies' letter, which are very apt and proper, I have only to observe that as ye Estates of the delinquent Sheriffs in Southampton appear to consist altogether of Lands & Tenements, it will be necessary, according to the 3rd section of the Act of Assembly for the more speedy recovery of Debts due to this Commonwealth, to make notification of the intended sale of the said Lands & tenements in manner & form as by the said act is directed. By the 9th Section it is also presented that in any case similar to those alluded to in the Agent's Letters, all writs which ought to be directed to a Sheriff shall be executed by the High Sheriff.

I have the Honour to be, &c.

THOMAS MATHEWS TO THE GOVERNOR. April 8th

I hold it my duty to give you every information respecting the steps I have taken to enforce the Act of Congress imposing an Embargo. Last evening I received information that a fast sailing Boat, which had been the property of the British Consul, and which was said to be by Him sold to Mr. MacCauley, was about to depart the State. I immediately directed an officer to take charge of the Boat & unbind the sails. This was done without violence or injury to the property. Norfolk

On enquiry I find the Boat to be the property of the British Consul, and have in person offered to restore Her to him on condition that His word should be given that the Boat should not depart the State. Contrary to my expectation, the Consul refused to receive Her, alledging

1794. April 8th that the Boat being his property and taken from his care without his permission, he would represent the case to his Government. I told him he was at liberty to make any representation, but that I knew of no exemption in the Act of Congress for his Boat or any other. I have been thus particular in this case that information, if necessary, may be forwarded to the General Government. I have directed the Boat to be secured, and given orders for Her safe-keeping. I shall be happy in receiving any instructions that the Executive may communicate.

I am respectfully, &c.

April 9th

JOHN STEELE TO THE GOVERNOR.

The mouth of Greenbrier, Walker's Meadow, & Strowd's Country are points perhaps not effectually secured against incursions of the Savages, and last year were allowed six scouts.

I am of opinion the business would be well placed in Colo. Stuart's hands, and propose that he be requested in case of apparent danger, to adopt such temporary measures as he may think most likely to secure the Inhabitants against such incursions.

It will be necessary for him to know the Positions taken by the officers already in service, and the manner in which they do duty.

With, &c.

April 10th

DANIEL BEDINGER TO THE GOVERNOR.

Norfolk

The cannon in the Borough of Norfolk & its vicinity are—

At Norfolk:

2 Brass field pieces	(with carriages),	of 2 inches	calibre.
1 Iron piece,	"	4¾	"

On the Point at the entrance of the harbour:

13 large Iron guns	(without carriages),	6	"
4 " "	of equal length,	5½	
4 smaller guns,		4½	"
13 short (ship guns),		4	"

At Portsmouth:

6 Iron pieces,		3½	"

The above the property of the Commonwealth of Virginia.

2 Iron pieces	(with carriages),	4 inches	calibre.
2 "	"	3½	"
6 "	(without carriages),	3½	"
17 "	of different lengths, and from	3 to 4	"

Private property.

Agreeable to your request, I have taken measures for drilling such guns (public property) as may be spiked, and 1794. April 10th

Sir, &c.

At a court held for the county of Rockbridge the third day of August, 1779: April 10th

John Bowyer, Gent., produced a Commission in Court from his Excellency the Governor, appointing him Escheator for this county, who took the oath, and with Samuel McDowell and Samuel Lyle, his securities, entered into and acknowledged Bond in the penalty of two thousand pounds constituted as the law requires.

Teste:

ANDREW REID, Cl'k.

A circular letter dated Richmond, January 25th, 1794, from his Excellency Henry Lee to the Justices of Rockbridge, with one enclosed to the Escheator of said county, was received, which is hereby acknowledged.

By the instructions of said county court.

ANDREW REID, C. R. Court.

W. Fenwick to the Governor. April 10th

Complains of treatment by the committee of Petersburg appointed to guard the town against small-pox. Richmond

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Willis Wilson to the Governor. April 10th

After receiving orders from Lt.-Gov'r Wood I had information that a Brigantine belonging to Mr. Fitzsimons of Congress, and commanded by Mr. Maury, had dropped down from this Port to Hampton Roads in order to proceed on a voyage to Jamaica, in open violation of the embargo and defiance to repeated orders given him by the officers of the custom House. It was suggested that he intended to use force in opposition to his being brought back, which induced me to embody 30 of the militia of this Town, got a small schooner and proceeded immediately after him. I found him mixed with the fleet in the Roads, took possession, and have moored the Brig'ne in this port. Portsmouth

I gave the fleet a thorough search, but found no other vessel that I conceived to come under the purview of the Resolution. Have discharged the party of militia, and shall try to make this violater of our Law pay the expence.

1794. April 10th — We received information from Baltimore that Mr. Hamilton had purchased there a fast sailing pilot Boat (supposed) for the purpose of sending intelligence abroad, and entering her on Dunmore's list of pirates. Gen'l Mathews has put a guard on board, which has put the Scotchman in a terrible pet. I still have chief of the arms I received from your Excellency. They want a little work from an armourer. Should be proud to receive orders thereto. Mr. Bedinger has rec'd orders, and is about mounting one Cannon. The Doedalus still retains her station. She, with a letter of Marque Ship since the embargo, ride with springs on their cables in a very menacing position. The fleet broke ground yesterday, but the wind prevented them getting to sea.

I have, &c.

April 11th — SAMUEL COLEMAN TO SUPERINTENDENT OF POINT OF FORT.

Richmond — By advice of Council of the 8th instant, I am directed to request that you will forward without delay five hundred stand of the repaired arms to this place. Be pleased to fit the Bayonets, and let the Cartridge Boxes be in good order for immediate use.

I am, sir, &c.

April 11th — JNO. CROPPER TO THE GOVERNOR.

Accomac — Appointment accepted bv Jno. Cropper of agency for collection of Arrears of Taxes in Brigade District of which Accomack forms part.

April 13th — THOMAS MATHEWS TO THE GOVERNOR.

Norfolk — On Wednesday last I received the enclosed letter and papers from White, Whittle & Co., Merchants, of this place. I immediately directed an officer to wait on Admiral Vanstable. A copy of the orders to the officer attending Admiral Vanstable you have likewise enclosed. The Admiral returned for answer that the vessel should be immediately restored, and that it was his wish to conform to the Laws of the United States. In consequence of which I wrote to White, Whittle & Co., informing them of the Admiral's wish to restore the vessel. A copy of the letter you have likewise enclosed, to which I have received no answer.

The British Frigate Doedalus has for some days past been laying with a spring on Her cable, and attended with a British letter of Marque in the same position.

1794. April 13th

This situation is rather menacing; but as they have committed nothing like hostility, I have refrained making any representation respecting the case. Her force is too insignificant to meditate anything serious.

I hope the Executive will establish some Fund to enable us to execute such plans as will tend to enforce the embargo. At present I can only remonstrate.

I am, sir, &c.

In consequence of the within orders from General Vanstable, Mr. John C. Cooper last evening took possession of one Snow Venus. Alexander McConnell, Master, Slipt the Cable, and at about 8 o'clock at night got under way, he informed, for Hampton Roads. We deem it our Duty to give you this Information that you may take such steps as you deem necessary, as we are Determined to seek redress from another.

Respectfully we are, Gentlemen, &c.,

WHITE, WHITTLE & CO.

Col. Thos. Mathews,
Norfolk, 9th April, 1794.

On board the Tiger,
Monday, being the 7th April, 1794.

Mr. Cooper:

I have repeatedly sent to the Capt. and owners of the Snow Venus, now lying in Norfolk, to proceed in Hampton Roads, being Chartered by F. W. Le Compte & Richard Gernon, agents for the French Republick, who have shipped on Her Nineteen Hundred Barrels of Flour for account of the Republick, as appears by Capt. McConnell's receipts.

But to this moment I have not seen said Snow, and am informed that she does not intend to join my Convoy.

I then request you, Sir, to order her & see her under way; and should she not obey your orders, I request you to force her to proceed, being my duty to take all French property under my Convoy.

Your friend,

VANSTABLE.

John Cooper, Esq.,
Comm'r of Ship Vanstable, at Norfolk.

The above is a true copy of General Vanstable's order to me, and in consequence of which I take possession of the Snow Venus, in order to deliver her to General Vanstable, now on board the Tiger, in Hampton Roads.

JOHN COOPER.

Attest: James Patterson.

1794. April 13th I, John Cooper, Commander of the Ship Vanstable, lying in the port of Norfolk and Portsmouth, Do hereby certify that I have taken possession of the Snow Venus, commanded by Alexander McConnell, Laden with nineteen hundred Barrels of Flour, on Freight for the French Republick, agreeable to General Vanstable's orders, to proceed to join his Convoy & to proceed to France. A receipt of the General's orders being previously shown to Capt. McConnell.

JOHN COOPER.

April 8, 1794.

Messrs. White, Whittle & Co.:

Gentlemen:

On rec't of your letter notifying that the Snow Venus had been wrested from your possession and carried down to Hampton Road with intent to be forwarded to some foreign port, contrary to the Act of Congress imposing an Embargo, I immediately Dispatched an Officer to Admiral Vanstable with a copy of the papers you put into my hands, with a request to the Admiral that the Snow should be restored.

I now inform you, that Admiral Vanstable directed my officer to acquaint me that the Vessel should be delivered on Demand. You are therefore at liberty to take such measures as may best tend to the security of your property, and if necessary, I will give any person you may appoint to take charge of the Snow, instructions for that purpose.

I am, &c.,

THOMAS MATHEWS.

Thursday Evening.

April 14th

MEMORIAL TO THE GOVERNOR.

The memorial and petition of the Subscribers, Inhabitants in the Westtern part of Washington County, and the eastern settlement of Lee, near Mockison Gap—

Humbly sheweth, That altho. we have been considered as an interior settlement, yet from various unfortunate occurances it must appear that we are equally exposed with the most distant Frontier settlements.

That by attending to the Geography of the Southwestern Frontier, it will appear that from the Western settlement of Russell county, on Clinch River, and the eastern of Lee, in Powells' valley, there is an uninhabited space of more than twenty miles nearly north of your petitioners' Dwellings, which makes us for that extent a frontier to the State.

That the predatory parties of the Indians, always industrious in discovering the weakness of our settlement, has for years past made their inroads through this vacant or uninhabited space, and have committed

several cruel murders in the neighborhood of your petitioners, as will appear by the following detail: 1794. April 14th

August 26, 1791, a party of Indians headed by a Captain Bench of the Cherokee Tribe, attacked the house of Elisha Ferris two miles from Mockison Gap—murdered Mr. Ferris at his house and made prisoner Mrs Ferris and her daughter Mrs. Levingstone, and a young child together with Nancy Ferris. All but the latter were cruelly murdered the first day of their captivity.

April 1792, the same chief with a party of Indians attacked and murdered the family of Harper Ratcliff—six in number, about eight miles west of the above-mentioned Gap.

March 31st, 1793, the Enemy attacked on Powell's mountain Moses Cockrell and two others who had horses loaded with merchandize; killed two men—took all the Goods and pursued Mr. Cockrell near two miles.

July, 1793, Bench, with two other warriors traversed the Settlement on the North Fork of Holstein for upwards of twenty miles, probably with the intention of making discoveries where were negro property. In this rout they find at one Williams, and took prisoner a negro woman, the property of Peter Levingstone, who, after two days captivity, made her escape.

And lately, April 6th, 1794, the melancholy disaster which befell Mr. Levingstone's family and property, which has urged this application for assistance to prevent the depopulation of a considerable settlement.

From the above facts, your Excellency and the Council will be a judge of the justice of our claim, that such protection be afforded us as the State may be able to afford and our necessities require.

All which we submit with deference, and your petitioners will ever pray.

A. BLEDSOE,
GEORGE WILCOX,
ABRAHAM FULKERSON,
JOHN V. COOK, with
JAMES FULKERSON.

April 14th, 1794.

Norfolk, 9th of April, 1794.

Sir:

On receipt of this you will immediately proceed to General Vanstable, commanding the fleet of the Republic of France, and inform him that the Snow Venus, the property of White, Whittle & Co., was forcibly taken from this port and from the possession of the owners, as appears by the papers I have entrusted to your care. That I consider the act as contravening the Act of Congress imposing an Embargo, and therefore request a restoration of her. I shall expect your report. April 14th

I am, &c.,

THOMAS MATHEWS.

To Capt. S. S. Calvert.

1794. JAMES WILLIAMS TO THE GOVERNOR.

April 14th Culpeper Anxious that the Brigade under my directions should be so organized as to be able to turn out if necessity should require it, on the shortest notice, I have to request that the Captain commanding the Artillery company in Fredericksburg, if practicable, may be furnished with two brass field pieces, six pounders, fifty stand of small arms with the necessary accoutrements complete; Ammunition for the field pieces, say Grape and round shott, cartridges, and a small tembrill for the purpose of carrying the ammunition, small arms, &c. belonging to the company. If those things or any part of them can be obtained, I should be glad to have the order of the Executive sent me by the return of Mr. Clayton, who will hand you this.

I am, &c.

April 15th RICHARD CARY TO THE GOVERNOR.

If the arms which directed to be sent down for the use of the county of Warwick are now in Richmond, Mr. Wm. Gray, the Bearer hereof will take charge of them, and bring them safe to my hands.

I have, &c.

Received of Samuel Coleman three boxes said to contain seventy-two stand of arms and accoutrements belonging to the public, which I promise to deliver to Capt. Richard Cary of Warwick, the danger of accidents in transportation by water excepted.

Teste:

WM. GRAY.

Jno. Lester.
Rocketts, April 26th, 1794.

April 15th J. J. V. RIVARDI TO THE GOVERNOR.

Baltimore I received this moment the honor of your letter of the 10th instant with the enclosures. I beg your Excellency to be persuaded that I feel the urgent necessity of my arrival at Norfolk, and that if anything could be able to increase my impatience, it would be the fear of your thinking me slow in my operations. I have already sent my plans, and am ever anticipating their acceptation, for I had part of the lines drawn without waiting for answers. General Knox requested me in his last to have the guns mounted here, and to go likewise to Alexandria, in order to put also the Artillery there in order. However, I took

the liberty to mention to him that I thought I would defer that business until Norfolk is in a state of defence, and that I intended to set off for the above mentioned place the instant it could be done. The hope of having the honor to meet your Excellency there is highly flattering for me, and is a sure omen that I shall experience none of the delays which I met with here. 1794. April 15th

I have, &c.

An account of the captivity of Mrs. Elizabeth Levingstone, of Washington County, Virginia, put down in writing in her presence, and nearly in her own words: April 15th

April 6, 1794. About 10 o'clock in the morning, as I was sitting in my House, the fierceness of the dog's barking alarmed me. I looked out & saw seven Indians approaching the House, armed and painted in a frightful manner. No person was then within, but a child of ten years old, another of two years, and my sucking infant. My husband and his brother Harry had just before walked out to a Barn at some distance in the Field. My sister-in-law Susanna was with the remaining children in an out-house. Old Mrs. Levingstone was in the garden. I immediately shut and fastened the door; they (Indians) came furiously up & tryed to burst it open, demanding several times of me to open the door, which I refused. They then fired two guns; one ball pierced through the door, but did me no damage. I then thought of my husband's Rifle, took it down, but it being double-trickered, I was at a loss; at length I fired thro' the door, but it not being well aimed, I did no execution; however, the Indians retired from that place, and soon after I found that an adjoining house was on fire, & I and my children suffering much from the smoke. I opened the door, & an Indian immediately advanced & took me prisoner, together with the two children. I then discovered they had my remaining children in their possession. My Sister Sukey, a negro wench & her young child, a negro man of Edward Callihan's and a negro boy of our own about eight years old. They were fearful of going into the house I left to plunder, supposing that it had been a man that had shot at them and was yet within. So our whole cloathing & household furniture were consumed in the flames, which I was then pleased to see, rather than it should be of use to the Savages.

We were all hurryed a short distance, where the Indians were very busy dividing & putting up in packs for each to carry his part of the booty taken. I observed them careless about the children, & most of the Indians being some distance off in front, I called with a low voice to my eldest daughter, give her my youngest child, & told them all to run towards neighbor John Russell's. They with reluctance left me,

1794. April 15th sometimes halting, sometimes looking back. I beckoned to them to go on, altho' I inwardly felt pangs not to be expressed on account of our doleful separation. They two Indians in the rear either did not notice this scene, or they were willing the children might run back.

That evening the Indians crossed Clinch Mountain, & went as far as Copper Creek, distant about 8 miles.

April 7. Set out early in the morning, crossed Clinch river at McClean's Fish-dam about 12 o'clock, then steered northwardly towards the head of Stoney Creek. Then they Indians camped carelessly—had no back spy nor kept sentries out. This day's journey was about twenty miles.

April 8. Continued in camp until the sun was more than an hour high; then set out slowly and travelled five or six miles and camped near the foot of Powel's Mountain. This day, Bench, the Indian chief, became more pleasant, & spoke freely to the prisoners. He told them he was about to carry them to the Cherokee Towns. That in his rout in the wilderness was his brother with two other Indians hunting, so that he might have provision when he returned. That at his camp were several white prisoners taken from Kentucky, with horses and saddles to carry them to the Towns. He made enquiry for several persons on Holstein, particularly Old General Shelby, and said he would pay him a visit the ensuing summer and take all his negroes. He frequently enquired who had negroes, and threatened he would have them all off the North Holstein. He said all the Chickamogga Towns were for war, and would soon be very troublesome to the White Folks.

This day two of the party was sent by Bench ahead to hunt.

April 9. After traveling about five miles, which was over Powell's mountain and near the foot of the Stone mountain, a party of 13 men, under command of Lieutenant Vincent Hobbs, of the militia of Lee county, met the enemy in front, attaked & killed Bench the first fire. I being at that time some distance off in the rear. The Indian who was my guard at first halted on hearing the firing. He then ordered me to run, which I performed slowly. He then attempted to strike me in the head with the Tomhake, which I defended as well as I could with my arm. By this time two of our people came in view, which encouraged me to struggle all I could. The Indian making an effort, at this instant pushed me backward, and I fell over a log, at the same time aiming a violent blow at my head, which in part spent its force on me & laid me for dead. The first thing I afterward remembered, was my good friends around me giving me all the assistance in their power for my relief. They told me I was senseless for about an hour.

Certified this 15th day of April, 1794.

A. CAMPBELL.

WILLIAM GILES TO THE GOVERNOR. 1794.

I once more take the Liberty to apply for arms sufficient for my Company. The Muskets that we have made use of was Borrowed from Captains Quarrier and Wilson; and now they have called them in. It places me in a very Disagreeable Situation, Because a Number of my Company is now in Uniform and more preparing to Be so. Should We Be disarmed at present, and no probability of getting others, I am Afraid the men will Dispose of their Clothing. Our Company At all times has Done more duty than any other in town, Which can be proved by the Different Lientenant-Col's Commandants of this City. April 16th Richmond

I hope, Sir, you will take the above Request into Consideration, And your Compliance will very much oblige yours, &c.

H. KNOX, SECRETARY OF WAR, TO THE GOVERNOR. April 17th

I have had the honor to receive your favors of the 7th & 8th instants, and to submit them to the President of the United States. War Department

The spoliation complained of at Guadaloupe as having been committed by the French privateer Preus—to-wit, on the Conyngham—is filed among the papers of the like nature, and is, with the rest, in the course of being pressed upon the French Minister.

The application of Mr. Hamilton relatively to the British prisoners on parole, has been verbally adjusted between the British Minister and the Secretary of State, the particulars of which, however, I am uninformed.

I have, &c.

A LEWIS TO THE GOVERNOR. April 17th

I am sorry to inform you that by report on the 6th inst. a party of Indians fell on the Family of a Mr. Livingston, murdered and took the whole. They must have been conducted by a white person, the murder being done within fifteen miles of Abingdon and a considerable distance within the Settlement. Montgomery

I am certain if here my men will overtake them if the number is large enough to be pursued by their Trails, but am heartily sorry for the Loss of the people. Apprehending mischief of this Kind was my reason for employing Express, having a Frontier of 150 miles to guard with Sixty-Six privates & Eight non-commissioned Officrs, would of course leave space sufficient for the Enemy to come in undiscovered. In all probability this unhappy affair would not have taken place had Capt. Hawkins' Company come into service as directed.

[illegible]

[illegible]

[illegible]

A. LEWIS TO THE GOVERNOR. 1794

Sir:

Since I wrote you on yesterday I have received the particulars of the mischief done at the House of Mr. Levingston within fifteen miles of Abingdon. April 17th Montgomery

They Indians murdered one white woman and one negro child, prisoners two white women, one negro man and woman; they were also in possession of a number of children—after seting the Houses on Fire they set the Children at Liberty. They were immediately pursued on their Trail; two other parties pushed on to take possession of certain Gaps that in all probability they would pass. One of those parties last mentioned fell in with them, fired on them, killed the white man that conducted the Indians in, and one Indian. At the time the fire was made both the other parties of whites were in hearing of the guns. By their passing through the Stone Gap in Powell's mountain, expect they were the Southern Indians. I only wait your Excellency's answer by Colo. Burnett.

I am, &c.

P. S. The prisoners were retaken all but the negro man who ran off with the Indians. Please excuse haste, the Bearer is impatient.

A. L.

R. QUARLES TO THE GOVERNOR. April 18th

I received yours of the 11th Inst. containing a request for arms, &c. I have sent you 500 Muskets and Bayonets with 500 cartridge Boxes and 1,000 Flints, the whole of which are well packed in Strong Boxes and in good order, except the cartridge Boxes and they are as good as may be expected from the length of service they have Experienced. Barracks

It will be well to make it the business of some officers to attend to the arms &c., when they are landed at Richmond, and when they are distributed care ought to be taken in unpacking the Boxes to prevent the Bayonets being misplaced from their proper muskets.

The Boxes in which the Arms, &c., are packed are valuable, and if they are emptied at Richmond they might with ease be returned to this place. It was entirely casual my meeting with so speedy an opportunity to forward the present arms and accoutrements, and I could wish in case of my particular call for Military Stores hereafter, that you will, if you think proper, vest me with authority to command the service of any Boat. William Stalen, who takes charge of the present Load is (when he delivers it at the canal) entitled to five Pounds. The want of money put it out of my power to settle with him, therefore he will

1794. April 18th — expect to receive it in Richmond. My not being able to have my accounts adjusted when I was last in Richmond, added to the poverty of the Treasury at that time, has subjected the whole of the people in my employ to most painful disappointments. The Board thought proper to give an order for 1,000 Dol. (being about one-half of my demand) for which I received a warrant, and on its presentation to the Treasurer found it to be worth less than as much blank Paper as I could not get a farthing on it. Thus circumstanced, I must beg your interposition to sketch out some source from whence the money may be drawn. I have already pledged my own credit so far on account of the State in Employing different characters in its service that I feel considerable embarrassment on my own account, and their distresses are peculiarly interesting to me, both in an Individual and Public character.

I have received particular accounts both from Philadelphia and N. York respecting the Musket Locks mentioned in your letter. They might have been obtained at either place a few months past, but at present they are all engaged on public account. I have sent one of my soldiers with the arms, and have directed him to call on you for your commands. I will thank — to let me know on his return the state of — Treasury and the probable chance of my getting money from thence.

I have, &c.

April 18th — R. QUARLES TO CAPTAIN SAMUEL COLEMAN.

Barracks — I herewith send the arms, &c. mentioned in ye letter of the 11th ult. They are well packed in strong boxes. You will find on each Box a paper tacked to it, the number of muskets it contains. The inclosed I wish to receive an answer to. . The scarcity of money with me makes it necessary that you should pay the Bearer of this (Mr. Stalen) five pounds for transporting the arms, &c. from this place. I send one of my soldiers with the Boat, and on his return will thank you to know the chance of having my accounts settled and paid. Enquire of Mr. Pendleton if you please, and let me know if he is prepared to adjust my accounts.

I am, &c.

April 19th — THOS. CHILTON TO THE GOVERNOR.

Fauquier Courthouse — Transmits receipts for executions and venditioni exponas directed to Jas. Ewell, late sheriff of Prince William, against Richard Grayham.

1794.

A. LEWIS TO THE GOVERNOR. April 18th

I have this moment received your letters by Col. Barnett, and am sorry you complain of the expense of Express, which now you will see the necessity of by my letters dated two days past, in which you are informed of the late mischief. The inhabitants in pursuit of the Indians retook the prisoners and killed two of them. The rest run off. Capt. Dorton, one of my scouts, who was out with a party endeavouring to head them, fell in with those that run off, being three in number, two of which he killed on the Ground; the other run off mortally wounded. One only escaped without a wound, which he did in the first attack, and had not fell in with the rest. Montgomery

I am, &c.

PETER TINSLEY TO THE GOVERNOR. April 19th

In pursuance of an order of your Honorable Board I have sent enclosed to your Clerk a statement of the cases, now and lately depending, on the High Court of Chancery, upon injunctions to stay the sales of property escheated to the Commonwealth. I should therewith to have sent a bill of the costs thereof; but I could not discover from the table of fees an allowance for such services, and to have charged and received what is allowed by law for transcribing only, would by no means have compensated for my trouble. In order that an allowance proportionate to the service may be made, it is necessary to make known the mode that I was compelled to adopt in order to accomplish it: Not knowing the names of the individuals who had filed bills (their cases being entered as other causes and no ways distinguished therefrom), I was obliged to look leaf by leaf over the order books and some of the docketts in order to that discovery. After taking a list of the cases I had then to collect the papers and peruse the bills in every one of them so as to be enabled to state the object of the suits, which otherwise did not appear, from which it necessarily follows that it must have taken some time exclusive of the writing. Upon the whole it will be readily discovered that an allowance, as for transcribing only, would not be reasonable compensation.

I am, &c.

ARTHUR CAMPBELL, COMMANDING WESTERN MILITIA, TO THE GOVERNOR. April 21st

The papers inclosed will inform your Excellency of the mischief done by the Indians in this county on the 6th instant, and the fortunate relief of the prisoners three days afterwards. Washington

1794. April 21st

Altho' this success lessens the apprehensions of the Inhabitants on account of so troublesome an enemy as Bench being killed, yet from the declared intention of the Chickamogga party of the Cherokees to go to war, and their actually having lately 200 warriors out in small parties, the western settlement of this county and the adjoining settlement in Lee talk of moving off if there is not some protection by government afforded them.

A party of twenty men may be sufficient, as none but small parties advance to those parts, and these need not be in service longer than four months. If the expence should be thought too great to have this additional corps, there is reason to believe that six men employed as scouts to range the adjoining craggy mountain, would lessen the apprehensions of the people and tend to their safety, provided a proportion of the militia of the adjacent companys are in readiness to march on the shortest notice in case of an enemy being discovered. The scalp of Capt. Bench I have been requested to forward to your Excellency, as a proof that he is no more and of the activity and good conduct of Lieutenant Hobbs in killing him & relieving the prisoners. Could it be spared from our Treasury, I would beg leave to hint that a present of a neat rifle to Mr. Hobbs would be accepted as a reward for his late service, and the Executive may rest assured it will serve as a stimulus to future exertions against the enemy.

It is with reluctance that I now send forward these by Express, guessing that money is not plenty in the Treasury. But the opinion of the Brigadier of the District, with several other officers, urges me to the measure, and nothing less will satisfy the Inhabitants. The volunteer companies are not yet complete, nor are they considered this year as composed of men suitable to the service required—as a dislike to the service has taken place, so that good riflemen and good woodsmen generally refuse to engage as soldiers.

The situation of the Inhabitants might be bettered were the care of defending the frontier entrusted with the commanding officer of the District. He could act according to orders as well as Capt. Lewis; would be near in case of an attack, and his services could be obtained without the charge of a Single dollar.

I am, &c.

April 21st

J. Pendleton, auditor, prays for remission of a fine imposed erroneously on Sam'l Clayton, sheriff of Culpeper.

April 21. Rec'd by John Putoff's wagon two Boxes containing 87 muskets—put in Capitol.

April 22. Of Sam'l Swan's Dray, 73 muskets in two Boxes, Do. 1794.
Of Putoff's waggon two Boxes, 83 muskets—A large Box supposed full of Cartridge Boxes.
Two Boxes muskets—quantity, 75; Two Boxes Cartridge Boxes, By Putoff; and a small Box of flints.
Two Boxes muskets—quantity 72; By Sam'l Swan's Dray. Driver's name Isaac.
Two Boxes—qu'y 70 muskets; By Mr. Burgess Dray.
1 Box muskets—q'y 40, and two Boxes of Cartridge Boxes; Putoff's wagon.

WYATT COLEMAN, Sen'r.

BENJAMIN DU VAL TO THE GOVERNOR. April 23d

Having the command of a company of Militia in this city conferred on me, anxious to discharge the duties of my office with all possible diligence, and sensible of the necessity of arms to teach men the use of them, lead me to make application to your Excellency to be furnished with Fifty muskets, Bayonets and Cartridge Boxes as the circumstances of my men does not allow of their furnishing themselves. Richmond

I have, &c.

WM. PATTON TO THE GOVERNOR. April 24th

Your favour of the 13th of March I have the honor to acknowledge the receipt of a few days ago. But am not able at present to recommend to the Executive any proper persons to fill the office of Collector in the several counties you have mentioned, the distance to some of them being considerable. However, I will use every means in my power to have it done as soon as possible. I have been informed that my Bond with some other papers to the Executive have been delayed a long time on the way to Richmond, which, together with the lateness of our first Court after my appointment, has prevented my entering on the Execution of my office a much longer time than I could have wished, for which I hope the Executive will make a proper allowance. Pendleton county

I have, &c.

At a Court of Oyer and Terminer appointed and held for King and Queen County at the Courthouse, on Thursday, the 24th of April, 1794, for the trial of Essex, a negro man slave, the proper slave of Thomas Spencer, of the County aforesaid, on suspicion of Felony:

1794. Present: Larkin Smith, William Fleet, Richard Brooke, William
April 24th Courtney, & William Roane, Gent'n Justices.

Benjamin Dabney, deputy attorney for the Commonwealth of Virginia, comes into Court and filed an Information that Essex, a negro man slave, the proper slave of Thomas Spencer, of the county aforesaid, did, on the eleventh day of April, in the year 1794, in the county of King and Queen, feloniously and with ill intent prepare and exhibit certain medicine to be given & administered to George Turner, of the county of Caroline.

Whereupon, the said Essex, the prisoner, being thereof arraigned, pleaded not guilty, and thereupon Frederick Noel and Thomas Butler being sworn, and Isaac and Nan, negro slaves belonging to Richard H. Corbin, being sworn, and on hearing as well the evidence of the said Frederick Noel and Thomas Butler, and Isaac & Nan, as the said Benjamin Dabney, deputy attorney, and James Webb, attorney for the said Essex, the prisoner, and the evidence and arguments of the attornies being maturely considered, it was the opinion of the court that the said Essex is guilty, as in the information is charged. Therefore it is considered by the court that the said Essex, the prisoner, be hanged on the 10th day of June next.

The court do value the said negro man Essex to forty-one pounds, ten shillings, which is ordered to be certified to the Auditor of public accounts.

LARKIN SMITH.

Teste:

RO. POLLARD, C. C.

April 25th HENRY BANKS TO LIEUTENANT-GOVERNOR WOOD.

Richmond Begs to exchange thirty muskets unfit for service for good ones for company of Grenadiers.

April 25th J. MARSHALL TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Richmond I am requested by several of the militia officers of this city to aid them in an application to the Executive for arms for their several companies.

In support of this application, I beg leave to observe that the possession of arms conduces exceedingly to the improvement of troops in the usual evolutions, and that it is hoped and believed that the public could sustain neither inconvenience or loss from placing muskets in the hands of the militia of this place, as they can with great ease be re-collected should the occasion require it, and as there is every reason to believe that they would be kept safe and in good order.

I have, &c.

1794.
April 25th
In Council

It is advised that no arms be furnished to any company of Militia in Towns unless they be in uniform.

That Captain Richardson of this city be furnished out of the arms lately brought from the Point of Fork, with 72 stand on his returning the arms he now has in good order.

That 144 stand be furnished to the commanding officer of Chesterfield for the use of his militia.

That 72 stand be furnished to Capt. Giles of this city.

That 72 stand be furnished to Captain Thornton's Light Infantry Company in Fredericksburg.

That 72 stand be furnished to Capt. Whitegar L. I company of P. George Militia.

That Capt. Bowler of this city be called upon to return in good order the surplus arms in his hands; and

That Capt. Coleman be directed to take receipts of the officers receiving such arms, making themselves answerable for their safe return in good order when called for by the Executive, and to keep an account of the arms so delivered, and file the receipts given for the same in his office.

Extract from minutes.

A. BLAIR, C. C.

April 26th

A Return of all the ordnance in Richmond and vicinity.

Richmond

5	18 lbs.	Double fortified in Richmond, 3 piked with Iron.
1	18 Do.	2 miles out of town at Curries.
3	18	Unfit for service.
2	4	Short Brass Manchester Carriages, unfit for service.
2	5	Brass Carriages, unfit for service.
1	"	B ½ inch Morter.
50		B ½ inch Shells.
	400 lbs.	of Musket Balls.
	3	Bars of Lead.
2,000		different sized cannon Balls.
5		4-double fortified Ship Guns.

April 26th

WM. DAVIES TO THE GOVERNOR.

Broadway

The opinions of the Attorney-General & of the Auditor were not so clear as to be readily understood either by myself or those with whom I have consulted. If I am right, however, in my apprehension, three months at least must intervene between the levying of an execution upon lands, agreeably to the Attorney's opinion, and the day of sale.

1794. April 26th

It is therefore impossible to execute the *venditionas* before the return day, even if they had been delivered to the Sheriffs the day I received them. I have, however, fixed upon the latter weeks of May and the first of June for the times of sale, principally with a view by fixing such late days of obtaining such information by that time from your Excellency as may justify my proceeding, as otherwise I shall not venture to do contrary to the advice of the Attorney as I have understood him.

Will it not be best to recall the venditiones and to issue others returnable to a later court than that of June if it be not so done? I fear the present process will be nugatory.

With respect to Holliman, I am at a loss to determine whether it is the opinion of the Attorney, that the present High Sheriff should execute the process, or that it is an unprovided case, and cannot be executed at all. I shall therefore return the process, and as soon as some person qualifies as his ex'or or adm'or I shall inform the Auditor. No person as yet will undertake to collect in Isle of Wight. The present sheriff informs me if the collection is postponed till the fall, he believes it may be made, but not otherwise. Of this some assurance seems to be requested, notifying at the same time that no indulgence will then be given.

I beg your Excellency's attention to the proceeding, and hope for such directions as will enable me to accomplish the object of my appointment in the speediest manner.

I have, &c.

Received of Samuel Coleman seventy-two stand of public arms for the militia of the county of Prince George, which I promise to return on the requisition of the Executive in good order, or bind myself, my heirs, executors, or administrators to pay to the Governor, Henry Lee, Esq., or his successor, for such of said arms as may not be so returned. Given under my hand at Richmond, this 26th day of April, 1794.

JACOB CALL,
Lt. of L. M. T. Comp'y P. G.

Teste:
WYATT COLEMAN, Sr.

April 26th

Receipt of Wm. Giles for arms and accoutrements for his company of militia, and obligation to return the same when called for.

April 26th

Memorandum of distances travelled, Express, by Richard Young, conveying notices of the Embargo to various county officers:

From Richmond to New Castle, 20 miles; King William, to Frazier's Ferry, 20; King & Queen, to Col. Young's, 12; King & Queen, to King &

Queen Ct. House, 14; King & Queen, to Wood's Tavern, 26; Gloster, to Col. Baytop's, 7; Mathews, to Dudley Carey's, 12; Middlesex, to Wm. Smith's, 32; Lancaster, to Col. Towles', 13; Northumberland, to Col. Edwards', 45; Richmond, to Richmond Ct. House, 30; Richmond, to meet Mr. Mason, 5; Westmoreland, to Westmoreland Ct. House, 16; Westmoreland, to Capt. Hungerford's, 15; King George, to Col. Taliaferro's, 30; Stafford, to Stafford Ct. House, 18; Stafford, to Col. Brent's, 5; Fredericksburg, to Fredericksburg, 17; to Minor's, 12; Caroline, to Caroline Ct. House, 15; Essex, to Col. Warren's, 37; to Richmond, 62. Total, 463 miles. 1794. April 26th

Receipts of county officers given Richard Mason for notices sent by Lieut.-Governor Wood (by Express) of the resolution of Congress laying an Embargo for thirty days on vessels bound to foreign ports:

King George, John Tayloe, of Mt. Airy; King George, John Taliaferro; Northumberland, Griffin Edwards; Lancaster, Henry Towles; ——, Ph. Johnston; Mathews, Dudley Carey; King & Queen, H. Young; Middlesex, Maurice Smith; Spotsylvania, Thomas Minor; Westmoreland, H. Hungerford; Essex, William Waring; Gloster, James Baytop; Stafford, William Brent.

H. KNOX, SECRETARY OF WAR, TO THE GOVERNOR. April 28th

I have the honor to receive your favor of the 14th instant. War Department

In order to save time in the arranging the accounts of Virginia, a rule was adopted with respect to them, and the accountant ordered to proceed to an adjustment.

This was considered as preferable to the sending to the Auditor of Virginia for explanations upon points and objects of no great importance even if obtained, although the accountant, governed by rules and forms, might have been unwilling to have departed therefrom.

He assures me that the balance will be ascertained in a few days. The manner in which the accounts have been forwarded, without payrolls or abstracts, have occasioned him no small embarrassment.

I have, &c.

ARTHUR CAMPBELL TO THE GOVERNOR. April 29th

Last week, by Mr. Spiers from Kentucky, I forwarded to your Excellency by way of Staunton, an account of the murder and robbery done by the Indians in this county on the 6th instant at Mr. Levingstone's, together with the success of our people who pursued the enemy. Washington

1794. April 29th

By the return of the bearer, who goes by Express from Governor Blount, the Executive will have an opportunity to forward such answer as may be thought proper, which we will be anxious for, as the still more recent murders of the Indians in the S. Western Territory, and near Cumberland Gap on the Kentucky road, show the perseverance of the lower Cherokees in continuing hostilities.

But what adds to our danger is the accounts from General Wayne's Army, that the whole of the Northern Tribes, aided by the British, are disposed for war.

I now send the scalp of Captain Bench, that noted murderer, as requested by Lieut. Hobbs, to your Excellency, as a proof that he is no more.

I am Sir, &c.

April 29th

JOSEPH JONES TO THE GOVERNOR.

Dinwiddie

A number of respectable citizens of Petersburg have formed themselves into a voluntary Troop of horse, which they wish should be known and distinguished by the name of the "Potersburg Volunteer Troop of Horse."

They are determined to be conformable to the Laws and orders of the commander of the Brigade. They will equip themselves at their own expense and will be immediately ready for service should they meet with your approbation and of the Council.

They have chosen their officers which are unexceptionable and very good men, and I am convinced should we be involved in a war that the officers and men of this Troop will distinguish themselves as good soldiers and friends to the country.

I should be exceedingly pleased if they could be commissioned and annexed to my Brigade.

The officers are as follows: John Jeffries, Captain; John Brown, first Lieutenant; Richard Bate, Second Lieutenant, and Hugh Hunter, Cornet.

This will be handed you by Mr. John Jeffries.

I am, &c.

April 29th

JOHN FITZGERALD TO THE GOVERNOR.

Alexandria

I am honored by the receipt of your letter of the 19th Inst., respecting the works contemplated for the defence of this place, which shall be strictly complied with, and due information of the Progress shall be regularly transmitted to you. The Engineer has not as yet made his appearance, however,

Colo. Darke, to whom the Poto. Company is largely indebted as Commissary, goes down with an order from the Treasurer for the last call due by this State in this business. I must entreat your kind assistance to him, and earnestly request that he may not be disappointed, as it would be extremely injurious to the works, & he goes down on this special occasion. 1794. April 29th

The Legislature of Maryland refusing to pass a Law similar to the one passed in this State, by which we might be enabled to sell the Shares of Delinquents, distresses the Directors exceedingly. I therefore flatter myself that you will, on this occasion, exert yourself for our relief.

I have, &c.

JOHN CROPPER, JR., TO THE GOVERNOR. May 2d

I received the commands of the Lieut.-Governor, dated 31st of March, enclosing the Embargo resolution of the 26th of the same month, directing me to enforce the prompt execution of the said resolve by the aid of the militia in all cases where the same might be necessary; but there was no attempt within reach of my authority to violate the embargo then existing, and of course the interposition of the Militia was unnecessary.

On the 28th of April I again received a letter from the Lieut-Governor, dated the 21st of the same month, enclosing the resolutions for continuation of the Embargo until the 25th of May, desiring me to give the aid of the Militia if it should be wanted.

On the day of the receipt of my last orders, I received information from the Collector of this District, that he had cleared two vessels between the expiration of the first Embargo and his information of the second—the Franklin, a schooner of 50 tons, built and owned in this county, and the Neutrality, a Brigantine, also built and owned here, of 166 tons. In the morning of the 29th of April I sent John Blackstone with six armed men in a boat to Metompkin Inlet, where he took possession of the Franklin as she was towing to pass the bar to sea, and in the evening he, in obedience to his orders, brought me her papers, which would prevent her proceeding on her voyage. Next morning, the 30th of April, I ordered Captain John Moore to take twelve armed men and a boat, and go to Assawaman Inlet, 15 miles north of Metompkin, and there take possession of the Neutrality, where I was informed she lay with only one-third of her cargo aboard.

Captain Moore, after being gone from me two or three hours, returned to the Courthouse (it being court day) and assured me that the Brigantine was at sea, standing for Metompkin Inlet, where she was to receive the remainder of her cargo. Soon after the return of Moore, John

1794. May 2d Wharton, owner of the Brigantine, arrived at the Courthouse, and I spoke to him upon the subject of his vessel. He told me that he conceived that I had no right to meddle with her as she was at sea, and that he intended she should remain without the bar of Metompkin and take in the balance of her load. I informed Mr. Wharton that I thought myself authorized to go to sea with the Militia after his vessel and in duty bound to do so, but upon his complaining of my opinion as a sentiment of oppression, I called upon Evans & Wise, delegates of Accomac and of legal profession, for their opinion, which coincided with my own; whereupon I begged Mr. Wharton to deliver me his vessel's papers (which were in his possession) and save the militia the fatigue, expence, and loss of time which must attend our taking her by force, but he refused and said she had orders to defend herself and that we could not take her.

As soon as I received this reply, I called out three officers and 28 men, had them expeditiously equipped and provided with boats, put myself at the head of them, and embarked at eleven o'clock the same night, proceeded to Metompkin Inlet, and at the dawn of day put to sea with my 4 boats, and took the Brigantine by surprise some time before sunrise; then we placed our boats ahead and towed her into the harbour. At nine o'clock I discharged the militia, except one man, Beverley Copes, whom I ordered to remain in charge of the vessel until her papers should be delivered, which was done last evening.

While I was collecting the men for this expedition at the Courthouse, a young man of this county, of the name of Samuel Peck, addressed himself to the men who were summoned to go, and attempted to dissuade them from their duty. As soon as I discovered it, I ordered him out, but he refused publicly to obey me, and I considered it impolitic to carry him in confinement.

I shall be very glad to have the directions of the Executive concerning this man. He is a young man of general good character, and not of course without influence, and the people consider the determination of his case as the rule by which they are to be guided in doing militia duty.

Some little expence was incurred upon those expeditions. I don't know how it will be paid. I will thank you, sir, to inform me.

I have, &c.

May 2d

J. PENDLETON TO JAS. WOOD, LIEUTENANT-GOVERNOR.

Auditor's office

I have examined the Law respecting the doubt stated by Agent Clarke in his letter to the Governor, and confess I am not able to expound the meaning of the last member in the 6th Section of the Act; the first section seems to contain all the essential regulations relative to.

the time and manner of making sale of property purchased by the Agent. Possibly the Legislature might intend that where *slaves* and *live stock* were purchased, the Executive should have power to direct them to be sold within a shorter period than *two months* to save expence and avoid risque, but the first section would appear to convey that discretion to the agent. 1794. May 2d

The language of the laws so frequently puzzle and passes my comprehension that I hazard a construction of them with the most timid caution.

I am, &c.

Enclosed in the above is the following letter:

Campbell, April 13, '94.

To the Governor:

By Mr. Richardson, I have rec'd sundry Papers, & on examining of them I think there is an omission. I hope you will pardon me in pointing it out; it is this: In the sixth sexion of the act appointing of the agents, it is there said that the Executive are to direct in what manner the agent is to sell, & this is not Dun on the papers that I have Red. If I proseed, will it be Legal? By the post To Lynchburg or New London, If you think proper, I may here from you. If not, I shall proseed.

I am, &c.,

JOHN CLARK.

WM. C. WILLIAMS, AGENT FOR SEVENTH BRIGADE, TO THE GOVERNOR. May 2d

Having been appointed by the Executive the agent for the seventh Brigade, I consider it my duty to lay before the board a business which I must submit to them, whether it comes within the duties of my office. In the years eighty-five and six, during the period when the taxable property was taken by the magistrates in the county of Augusta, there were many who failed to give in their lists, and the deputy sheriffs of that county collected the money for the taxes according on their property, which they ought to have returned to the county court, and accounted with the public, for which they have failed to do. They have also returned (as I have been informed) persons as delinquent whose names were not on the books of those years, whereby the Commonwealth hath been deprived of a very considerable sum. The fraud as to the former, I presume, can only be detected by appointing some person to collect the receipts from the holders of them, and there is a Mr. Bell of that county, who hath offered to do this business for ten per centum on what may be collected (as I have been informed) which is

1794. May 2d

the commission. If it is properly my duty to attend to this business, the law allows me. This sum I will cheerfully relinquish to him.

But as I suppose a suit must be instituted for the recovery of this money, Council must be employed. I must therefore beg leave to submit it to the board, whether they will not employ one or furnish me with money for the purpose (the former perhaps would be the most eligible), and authorize my employing Mr. Bell to procure the vouchers. My exertions in this business shall be for the recovery of the money.

I am, &c.

May 2d

Memorial of Book-binders.

Thomas Brend and Archibald Currie, Bookbinders of the City of Richmond, Respectfully sheweth—

That your Memorialists having been applied to by Mr. Augustine Davis, Printer, to bind the volumes of the Laws which he is at present printing for the Commonwealth, they beg leave to submit the following terms, accompanied with specimens, to your Excellency's consideration, the said terms being estimated at such a low rate as to admit of a very moderate profit to your Memorialist.

That the specimen No. 1 is bound in Calf-skin in the manner of the last Code of Laws printed by Messrs. Purdie & Dixon, who had ten shillings pr. Volume for binding them, and although every material is at least 35 or 40 pr. cent dearer at present than at that time, your memorialists would engage to bind the present volume at the same price.

That the specimen No. 2 is bound in strong sheep skin, and would be eight shillings pr. volume. No. 3 is in half binding, the price of which would be six shillings and six pence.

That with respect to capability and fidelity in the execution of the said business, your Memorialists will, if requisite, produce ample testimony of the former, and security for the latter.

Your memorialists respectfully beg leave further to add, that if the business could be speedily concluded on, it would relieve Mr. Davis from a great inconvience in having a considerable number of printed sheets on hand, which, if delivered to the binders as soon as printed, might be put into a state of preparation before the printing of the last sheet by which means the business would also be in a great state of forwardness.

May 2d

At a Court held for King and Queen County at the Courthouse on Monday, the 14th of April, 1794:

Ordered, That it be certified to his Excellency Henry Lee, Esq., Governor of the Commonwealth of Virginia, that Christopher Stedman, Jr.,

who was at a Court held for this County the 10th day of September, 1792, recommended as a proper person to be commissioned inspector of Tobacco at Shepherd's Warehouse has removed from this County. 1794. May 2d

Teste:

RO. POLLARD, C. C.

At a Court held for King and Queen County Monday, the 10th day of September, 1792:

The Court do recommend to his Excellency Henry Lee, Esq., Governor of the Commonwealth of Virginia, John Kidd, Edward Spencer, Christopher Stedman, Jr., and John Webley as proper persons to be commissioned inspectors of Tobacco at Shepherd's warehouse.

A Copy—Teste:

RO. POLLARD, C. C.

At a Court held for King & Queen County at the Courthouse on Monday, the 14th of April, 1794:

Present.—Anderson Scott, William Fleet, Anthony Gardner, William Courtney, John W. Semple, Thomas C. Martin, William Roane, Philip Pendleton, John Wedderburn, and John Hoskins, Gentlemen Justices.

The court do recommend to his Excellency Henry Lee, Esq., Governor of the Commonwealth of Virginia, Henry Young, Humphrey Walker, Samuel G. Fauntleroy, Robert Hoskins, William Shackelford, and Beverley Roy, Gentlemen, as proper persons to be added to the commission of the peace for this county.

A Copy—Teste:

RO. POLLARD, C. C.

State of Commission of the peace for King & Queen County 14th April, 1794:

Declined Acting.—William Lyne, Thomas Coleman, Thomas Roane, Philip Taliaferro, James Pendleton, Lyne, Shackelford, Jr.

Dead.—Thos. Row, William Richards, Henry Todd, Henry Gaines, Richard Anderson, Christopher Harwood, William Harwood, James T. Corbin.

Not qualified.—Thos. Hill, John Garlick, Rob. Price, Thos. Fauntleroy, Rhoderick Starling, William Lyne, Jr., Chaney Gatewood, Charles, Hutchason, Phil. Bird.

Acting.—Anderson Scott, Larkin Smith, William Fleet, Anthony Gardner, Richard Brooke, William Courtney, J. W. Semple, Thomas C. Martin, Wm. Roane, Philip Pendleton, John Wedderburn, John Hoskins.

Edward Hill from his ill state of health wishes to decline business.

William Dudley is sheriff. John Kidd not in Commission.

1794. MOSES MANN TO THE GOVERNOR.

May 4th Point Pleasant

In consequence of two stations being lately formed on the Ohio and Kenawha, about nine miles from this place, I have thought it highly necessary, and has, with the advice and consent of Colo. Lewis, sent six men for the protection of each post, which gives great satisfaction and security to the Inhabitants at the Point, and hopes it will meet with your Excellency's approbation.

With respect to my Instructions from the Hon'ble John Steel for ninety-three, in keeping eighteen men constantly in the woods, it is totally out of power to comply with, as I have not a sufficient number of men at this place.

Lieut. Vanbibber I have thought necessary to send to Belville with a detachment of sixteen men, and the twelve men I have sent to these adjacent posts on the Ohio and Kanawha, leaves but twenty men at the Point. For any information respecting the depredations committed by the Indians I refer you to Colo. Lewis's letter.

It is my opinion, together with Colo. Lewis', that an augmentation of troops at these posts would be highly necessary.

I have, &c.

May 4th ROBERT BROOKE TO THE GOVERNOR.

In pursuance of the Instructions you have honored me with, I directed the Escheator of Shenandoah to have a jury convened on the 12th of April last, to enquire into the Title of the Commonwealth to that part of the Manor of Leeds which lies in his county, and set out in order to attend him on that day, but after having progressed considerably on my journey, I was so long detained on the Road by the heavy Rains, and a sudden Indisposition in consequence of getting extremely wet, that I could not arrive in Time to effect the business on the day appointed, which was then postponed on account of my absence.

On my return home, I immediately wrote the Escheator that I would attend him on the twentieth of June, and requested that he would be prepared on that day to proceed on the Business, but I have since been informed that in consequence of the miscarriage of my Letter, he has taken his inquest, and as the Jury have found for the Commonwealth, I hope no inconvenience will accrue from my absence, as I expect the inquisition is regularly drawn.

On the 19th of last month, I attended the Escheator of Fauquier, when a Jury was impannelled to inquire into the right of the Commonwealth to the Part of the Manor of Leeds lying in that county, but they found no Inquest, being divided—eleven for the Commonwealth

and five against her. In consequence of this, I requested the Escheator to convene another Jury on the twenty-fifth of June to take the Business again under consideration, and when I shall again attend. 1794. May 4th

The Inquisition taken in Frederick on the 19th of February last has been superceeded and quashed by the District Court at Winchester, and as I suppose it to be the wish of the Executive to have the whole of this Business terminated as soon as possible, I have written to the Executor* in that county to convene a Jury for that purpose on the first or second of July next, where I shall again attend, and shall from time to time take the Liberty of communicating to you the result of my efforts in executing that part of the Business which is intrusted to me, and Am, &c.

THOMAS LEWIS TO THE GOVERNOR. May 4th

I have the honor to transmit to your Excellency a Return of the men for the Winter establishment at Belville, and also a certificate for the Spies at this place. Point Pleasant

There is two new Settlements lately formed, each about nine miles from this place, one on the Ohio, the other on the Kanawha. Captain Mann thought it necessary to allow to each of these stations six men, and hopes it will meet with your Excellency's approbation. It has reduced the number considerably, he was ordered for the protection of the point, but it appears to be a great safe guard to us to have men at such advantageous posts, also in settling the country.

There is but twenty men now at this place, which renders it impossible for Captain Mann to perform the duty required of them by Government.

On the 23d of last month, the Indians, supposed to be about thirty in number, attacked a Plase about fourteen miles above Belville—killed four and took three prisoners. About three weeks ago, they fired on a boat somewhere about the mouth of Scioto and killed one man. I am also informed by people passing up the Ohio, that about eight or ten days ago, there has been at least fifty Indians crossed the River to this side between the two Sundays. I look on it absolutely necessary that those two posts should be augmented, which can't be done without the Executive gives Lieut. Mann orders to enlist more men.

I am, &c.

BENJAMIN TEMPLE TO THE GOVERNOR. May 5th

This will be handed you by Mr. Elliott the Gen't I have appointed to assist me in the collection of the taxes. King William

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*Escheator probably meant.

1794. May 5th He will inform you the situation of the business which has come to my hands, and receive any instructions which may be thought proper to be given respecting it. Mr. Elliott having been Sheriff for some years past in this county, can give you information respecting the mortgages which cover Colo. Richerson's Estate, abstracts of which I left with Colo. Goode when I was last at Richmond, and requested him to lay them before the Executive, that they might have no dificulty in determining what steps should be taken respecting them.

I have, &c.

May 5th

OSTER TO THE GOVERNOR.

Norfolk I have the honor to receive your letter dated this day.

The Captain of the Concorde has not found the prizes in question, nor does he more than myself know that they are gone to Baltimore.

The English Brig which your Excellency has been told *was* is not taken.

Accept my respects.

Translation.

May 6th

ROBERT BORLAND TO DR. JAMES TAYLOR.

Norfolk I hope you will not forget speaking to the Governor about the Hospital and the distresses it has brought upon me.

My Creditors are now getting so exasperated at me that they will wait no longer, but lay hold of everything I have in the world, without I show them some way that they may be paid soon. Should they proceed with these steps, I shall be entirely ruined and put on charity with my family. When the Governor knows this to be my real situation, he will certainly feel for me, and I trust will do everything in his power for my Interest and relief. I waited on the French Consul respecting the Plank that they have been cutting up, but he would give me no satisfaction about it; indeed he seemed to be offended at my troubling him on such business.

I am, &c.

May 6th PETITION TO THE GOVERNOR OF VIRGINIA AND THE HONORABLE THE MEMBERS OF THE PRIVY COUNCIL.

The petition of William Tate, of the county of Washington, for the remission of a fine for non-attendance as a juror on District Court of Washington County, October, 1791.

THE PETITION OF THE INHABITANTS OF KING AND QUEEN COUNTY TO THE HONORABLE GOVERNOR AND COUNCIL. 1794. May 6th

Against allowing Pittman Wiatt to become a pensioner.

J. HOLCOMBE TO THE GOVERNOR. May 7th

Petition for the pardon of Thomas Murry, condemned to be hung by the District Court at Prince Edward for horse stealing.

JOHN HAMILTON TO THE GOVERNOR. May 7th

British Consul's office

I now enclose you the deposition of Andrew Machie and Thomas Mayo, the one Master, and the other seaman of the Brigantine Ann of Kingston, sworn to before Thomas Griffin, Esqr., Mayor of York, relative to an insult and outrage committed by certain citizens of the United States at Yorktown in this State, on the British Flag, and in violation of Neutrality, Decency and respect.

I think it my duty to state this to your Excellency as Governor of this State, in order that the perpetrations of such an outrage may be prosecuted according to Law. I must also state to your Excellency, that the Armed Ship Chickamague, America built and equiped in this State, is about to proceed to sea, contrary to the regulations of the President. I know it is only necessary for you to be informed of this Circumstance, when proper steps will be pursued by your Excellency to prevent her departure or any other vessel within your Government under a similar situation.

With Sentiments of the highest Esteem and Respect,

I have, &c.

ARTHUR CAMPBELL TO THE GOVERNOR. May 8th

Washington

In the days of republicanism, it seems to be an extraordinary situation for a citizen to be accused, and not to have it in his power to confront the accusor, nor the Witnesses, if any. That is, in order to manifest his innocence to the World, he must prove a negative. However, it is a consolation that truth and innocence, is of such a nature that the more they are scrutinized and examined they will appear to advantage.

Captain Lewis has wrote, that he believes I could not have received less than between 200 and 300 dollars for excusing militia Drafts. A base transaction, truly, if the fact had ever existed. He ought to have

1794. May 8th

said at what time, or in what place, and of whom. He has had the best opportunity of any man to know, having commanded on the frontiers for more than two years, where it is well known pecuniary mistakes of any kind are always loudly published. I could oppose my assertion to his with confidence & truth, That his charges is malicious and groundless, and that I believe he knew them to be so at the time he pened them. However, I will endeavour, for the satisfaction of the Executive, to add such further proofs and arguments as may occur, and the circumstances of the case admit.

I. Had I received any money from the Militia men to excuse them from a draft, is there not a strong presumption that some one of them would have divulged the matter to the Court martial? Of course public mention would have been made of it and the crime become notorious.

2. Captain Lewis ought to have fabricated the calumny with more probability in order to be believed in this part of the State. For the uniform mode for several years past in such cases are for the Captains to return the list of Delinquents to the Court, and they explain the cause of delinquency, and on their evidence, with what the delinquent has to offer, he is either fined or excused.

This Captain Bowen did in the cases of John Irons and David Young, as already evidenced in a decument sent to the Executive. Young was excused on account of inability to serve from a hurt received in his eye. Irons, because he procured a substitute, which appeared to have faithfully served in his stead by a return of Lieut. Willoughby then produced. Both cases was inquired into strictly, and Young would have been fined had not his Captain on oath declared he thought he was incapable of service at the time. Now it is obvious that there ought to have been a combination between the county Lieutenant and the Captains, in order to succeed in receiving Two or Three hundred dollars, or any other sum of money as bribes, a thing not supposible.

3. If Captain Lewis had believed such a vile transaction had taken place, ought he not as a watchful guardian of his country's interest, set on foot a scrutiny on a certain and obvious plan. First, have made application to the Clerk of the Court Martial for his deposition, and the copys of necessary vouchers, and formed thereon a regular charge in writing, and transmitted the same to the Executive, pledging himself that he would openly prosecute the same with effect before any constitutional tribunal. But, instead of this laudible and honorable mode, we hear of him making enquiry at every insignificant characters, nohow famed for their truth and honor or love for their country in a trying time; writing letters to the Governor from their suggestions, or to gratify his own malevolence, sometimes saying one thing, at another contradicting himself—a conduct much beneath what might be expected from the son of a patriot.

The conduct of the commanding officer of the Washington Militia was simply this: He received his orders from the Governor in Russell coun-

ty, shortly afterwards give conformable orders to the Captains to furnish Drafts to compleat Lieut. Willoughby's command. Some days afterwards received a few lines from the Governor, dated in Wythe county, mentioning that, if practicable, to engage men voluntarily for the whole time, as monthly Drafts was most expensive. This was communicated to Lieut. Willoughby; A Court Martial was ordered on the delinquent Militia men, which sat, proceeded on business with deliberation, and rather with unusual strictness, as all seemed impressed with the necessity of the service. 1794. May 8th

For my own part I can solemnly affirm that neither in the late nor no other occasion for twenty years past that I have commanded the militia on Holstein, that I received a single dollar in the way Captain Lewis has alleged. The idea was new to me when I received a copy of his letter. And now believe if he abhorred that kind of profit as much as I do, there would not have been such a profusion of expence, and so little personal service on the South Western frontier for more than two years past.

I am, &c.

A. Lewis to the Governor.

May 9th

Fort Lee

Enclosed you have the number of troops that are under my command and in actual service at this time. The reason of my company not being compleat is two having deserted, which I have not entered in the return; also one or two were received by the muster master that I afterwards found were unfit for the service. I considered it wrong to continue them under pay, and discharged them. Since that time, the officers have been so engaged on the Frontiers that they could not be spared to compleat the company. They shall shortly be made up. On the 7th this instant I received information that the sign of about thirty Indians were seen on the Black mountain making towards this settlement. On yesterday I sent out my scouts to know the certainty. The last company that came in being handled so roughly, I expect will make them cautious of coming into the settlement in small parties, two only out of seven getting clear.

What was more alarming to them was being fired on four different Times and on four different days. Twice by the Inhabitants who killed two of them, and twice by my company, who killed two and wounded one. One of the scalps we loss by his getting into Kentucky River. He attempted to make battle untill he received not less than 12 or 15 Balls in him. The scalps of the other two I have got the Favor of the General to present to your Excellency.

I still consider myself at a loss to know why the Executive deemed the last Express sent by me unnecessary. I have ever been cautious of running the public to unnecessary expence, and cannot say but I feel

1794. May 9th myself somewhat wounded by the sentiments of the Executive on that subject, and earnestly request that I shall be charged with the am't, which I will cheerfully pay out of my wages; and for the future, every man under my command shall die before they call for assistance by Express, unless I can do it without censure.

I have heard that some persons not friendly disposed towards myself, have endeavoured to rouse up the people on the Frontiers to complain to your Excellency of the non-performance of Duty by my Scouts, and also against myself. Whether they may be prevailed on to make a false accusation, God only knows. As to my Scouts, I can aver that there is not men on the continent that more fully execute the Duties of their office than they do. Take them in any part of character, perhaps stand fairer than any person who may become their accusers. On the day that the Indians came through the Fool Warriour's Gap, two of my Scouts passed through the same, perhaps not two hours before the Enemy, and before they could go to the farthest part of their Bounds and return to that Gap, the mischief was done.

As to accusations against myself, they are hard to steer clear of. The Frontiers being so extensive, that unless every man exposed has men to guard him he is dissatisfied, and without an officer can be at every place in time of danger, he has done wrong. No foundation whatever can justify a comp't unless my being absent, which has not been much for the present year, and as to the Duty in my absence, I am willing that my Order Book shall be examined, which orders I believe were duly executed; for I have never had either Officer or Soldier yet in my company that attempted to disobey orders I gave him. They people on the Frontiers, or immediately exposed, are well satisfied with both Officers and Soldiers, but if any Speak fully, its those that are not in danger nor never knew what it was to be exposed. The Executive and every other person acquainted with my situation, must be convinced that it cannot be Interest that prompts me to serve. I am well assured that where I make one pound by serving I lose two other ways. I feel a desire, and ever has, to serve my country, but should the Executive think another person that they might appoint would execute their Instructions more fully and give a further assistance to the Frontier, I shall with pleasure retire.

I question if there is an Officer, or any person in Office in the States, that has a Family, but thinks it his duty to pay some attention to them, and frequently gets leave of absence from Duty. My situation in that is singular, for I do not consider myself under the direction of any Officer but the Executive only, nor would I wish to be. The distance is so great, that if my Business at home at any time required my attention, I cannot call on those who are authorized to permit me, and am left to judge myself if I can take this Liberty consistent with my duty to my country and to your Excellency.

I am, &c.

A. LEWIS TO THE GOVERNOR. 1794.

It will be out of my power to leave the Frontier at this time to take the necessary Depositions concerning Col. A. Campbell's conduct. I expected a court of enquiry would have been ordered, at which every proof for and against him could have been brought forward. May 9th Fort Lee

I hope your Excellency will give the Paymaster such instructions that may authorize him to settle all claims by the officers or the soldiers; if not, I shall perhaps be considerable looser, for, to prevent them from Trifling their wages away, and for the good of the service, I was obliged to pay money and assume the payment for both arms and clothing to a considerable amount.

I am, &c.

H. KNOX, SECRETARY OF WAR, TO THE GOVERNOR. May 9th

Your Excellency's letter of the 14th ultimo has been received and submitted to the President of the United States. War Department

Any indulgencies which the St. Domingo fleet, mentioned by you, may have received contrary to the Spirit of the resolve laying the embargo, are unknown to, and were unauthorized by the Executive of the United States. Any information, therefore, which you may possess upon this subject, and which you can with propriety transmit in order to be submitted to the President of the United States will be thankfully received.

Letters of Marque being comprehended by the embargo, cannot be permitted to depart because some unauthorized irregularities have taken place with respect to other vessels, the conduct of the Officers who have permitted such irregularities, will be enquired into and made responsible for any breach of the embargo which they may have committed.

An informal and unauthenticated information has been received, that Sir John Jarvis's fleet, from the West Indies, said to consist of seven sail of the line and four frigates, may be shortly expected in the Chesapeake, and perhaps at Norfolk. Altho' this report may be without foundation, yet it is thought proper that it should be transmitted to your Excellency in confidence, in order that you may take such prudent precautions for the prevention of misunderstanding, as the delicate state of public affairs strongly require. And if your convenience would permit you to reside principally at Norfolk during the continuance of the fleet at that place (provided it should arrive), it would be highly satisfactory to the President of the United States. As hopes are entertained that an amicable accommodation may be effected with Great Britain by the mission of Mr. Jay, and satisfaction obtained for the damages on our commerce, it would be extremely unfortunate if they should be frus-

1794. May 9th

trated by any untoward event which might arise from individual irritions of temper on either side.

By a vessel which will sail in a few days from this place, ammunition will be forwarded for the cannon which are at Norfolk, and also a number of carriages and implements for nine eighteen-pounders, which are at the head of Elk, and which will also be forwarded. Major Rivardi will see that these pieces are put in perfect order, and prepare a reverbratory furnace or two for hot shot; and as Norfolk, from its situation, appears to be pre-eminently important, compared with the other places in the Chesapeake, it may be proper for Mr. Rivardi to continue there as long as possible consistently with the other objects. A Mr. Vermonet may therefor be employed at Alexandria and Annapolis, which is probably to be fortified.

Some appointments in the artillery will be shortly made, and Recruits endeavoured to be obtained, some of which will repair as soon as possible to Norfolk. In the mean time Captain Hannah will be ordered to Norfolk with twenty Recruits, which he has at Alexandria.

I have, &c.

May 10th

WM. WALKER TO THE GOVERNOR.

James City

Yours of the 29th of April to the commandant of our Militia came to my hands the 8th of the present month.

I went instantly to York Town with your instructions, and imparted to Mr. Macaulay the substance of your letter. He appears quite innocent, in my opinion, respecting the boat alluded to, but that the ship Brandon sailed after ye Embargo, I have no doubt of. The Collector's and Mr. Macaulay's Certificate, which is here enclosed, will give you every particular which I can procure.

I am, &c.

Collector's Office, District of York Town,
May 8th, 1794.

Be it known to all persons, that on the 10th day of March, in the present year, the Ship Brandon, commanded by Patrick Woodcone, was cleared at this office for St. Thomas with her cargo, consisting of thirty thousand feet of scantling, thirty thousand staves, thirty thousand feet of plank, eighty-four thousand shingles, three hundred bushels of peas, and one hundred pieces of timber; and that on the 28th of April, in the year aforesaid, the schooner Swift Packet, commanded by Thomas Bragg, was cleared at this office for Philadelphia, with her cargo, consisting of passengers and their baggage—this clearance being granted after the embargo had taken place. Bond with sufficient security was

taken that this vessel should actually proceed to the port for which she 1794.
was cleared or some other port within the United States and there un- May 10th
der according to Law, which bond I have sent to the Secretary of the
Treasury of the United States.

These vessels are the property of Alexander Macaulay, of this Town.

Given under my hand, at the Port of York, Town, the day and year before mentioned.

ABRAHAM ARCHER, Collector.

List of Embargoed Vessels in this District.

Brig Ann, of Kingston, Jamaica.
Schooner Lucy Washington, of Portsmouth, Virginia.

ABRAHAM ARCHER, Collector.

York, 8th of May, 1794.

I do hereby certify that on the 10th day of March last, the ship Brandon, Captain Patrick Woodcone, cleared out at this Port for Santa Thomas, and a report has prevailed that the said ship Brandon had not sailed until after the Embargo had taken place.

The Brandon was laying in Norfolk Bay when she cleared from York, and had loaded in that harbour with Lumber, and I had no intercourse with Captain Woodcone after his clearance from York.

ALEXANDER MACAULAY.

PETITION TO THE GOVERNOR AND THE COUNCIL OF STATE. May 10th

We, your petitioners, inhabitants and freeholders of the County of Prince Edward, beg leave to represent, That at a district court, held at Prince Edward Courthouse, on the 4th day of April, 1794, we were elected and sworn as a Venire upon the Trial of Thomas Murray on an Indictment for Horse-stealing; and do pray for a pardon of the said Thomas Murray, on account of his youth and previous good character.

The affidavit of David Young, in the dispute now depending before May 12th
the Executive of this Commonwealth, between Colo. Campbell and Capt. Lewis, deposeth & sayeth:

That some time in the summer of 1792, your deponent was drafted to serve tour of duty in Powell's valley, under the command of Lieut. Willoby, but from a bad hurt in his right eye, did not serve the tour of duty to which he had been ordered, and was afterwards acquited by a court-martial summon'd for the trial of delinquents in said draft.

1794. May 12th Your deponent further says that he never gave money or anything in lieu thereof to Colo. Campbell, or any other person, to clear him from the said tour, or to hire a substitute.

DAVID YOUNG.

May 12th The affidavit of John Iron, in the dispute now depending before the Executive of this State, between Colo. Campbell & Capt. A. Lewis:

That some time in August, 1792, as well as your deponent remembers, he was notified by a Sergeant of Capt. Bowan's to attend a rendezvoise appointed to be held at Capt. Logan's, in order to serve a tour of duty in Powell's valley, under the command of Lieut. Willoby. On the day appointed your deponent set out, but from the helpless situation of his family and the charge of a Crop, he found it impossible to go on, and endeavoured to hire Will or Thos. Jones to serve the tour in his room, & offered either of them ten dollars, a blanket, & a pair of shoes, but they refused. Your deponent then turned home and intended to pay his fine, and meeting with Colo. Campbell the next day he made his case known to him, who informed your deponent that he had offered too much, & he thought a substitute might be got for five dollars. Accordingly your deponent gave Colo. Campbell five Dollars, with which William Dorherty was engaged, as your Deponent was informed.

JOHN IRONS.

Sworn to and subscribed before me, this 12th day of May, 1794.

W. TATE.

May 12th

JAMES A. BRADBY TO THE GOVERNOR.

Surry county Having for some time intended to go to Richmond to see you respecting the Militia Law, but finding it inconvenient for me to do so shortly, have assumed the freedom to write you, as it is in my opinion high Time that every part of the Militia Law should be in operation. To this letter I will thank your Answer by Captain Crafford, who will hand it to you.

When I had the pleasure last to see you, which was in Richmond, you Observed to me that it would be Proper to have a Company of Cavalry to my Brigade, and that I should have the appointing officers necessary for the Company, at which time I thought I should not hesitate to execute it immediately, but on reflection I found so many inconveniencies attending it I thought proper to decline doing so, untill I should have the pleasure to see or hear from you.

1794. May 12th

The fourteenth section of the Militia Law, passed in the Session of 1792, says that the Governor, with the advice of the Council, shall Issue Commissions at their own discression for the Officers necessary to the Artillery and Cavalry, and concludes by observing that the number of companies of Artillery and Cavalry shall not exceed one for each Brigade. The inconvenience which suggests itself to me is this: that as A, B, C, D, E, & F constitute a Brigade, in the County A the Captain may be appointed, the Lieutenant in the County F, &c. That in no one county there will be two Officers; they will, of course, be so dispersed thro' the Brigade, that very rarely, if at all, they will ever be convened at one place for the purpose of being Trained. That is, as I conceive, as necessary as for them to be enlisted. What appears to me that would be most Proper, particularly in my Brigade, & as the Country would incur no inconvenience from it, that a company of Cavalry might be raised in each county where it could be done.

In my Brigade I have no Scruples but what a company might be raised in all the Countys except Two, and those two countys might raise one. I know of no law at present that authorizes this, But have thought proper to suggest it to you, not knowing but you, with the advice of the Council, might allow this Indulgence, & would Issue Commissions to as many Companys as might be made up.

Should it be improper to do so, & you think it would be right it should be so, I am in hopes you will use your Interest at the next Assembly to cause it to take place. In the meantime, be so good as to write me what must be done (in the) Interim, and it most indubitably shall be. In consequence of a letter I received some time past from General Wood, I wrote to the several Commandants in my Brigade desiring them, as speedily as possible, to ascertain and communicate to me immediately the number of Baron Stuban's Books of discipline that might be in their respective countys. To which letters I have only an answer from one of the Commandants, & he gives me an Account of only three of the Books in his county.

I esteem it, sir, indispensably necessary that the XXII Section of the Militia law of 1792 be immediately complied with, as also the XXIII Section of the Militia law of 1793. I am therefore hopeful you will, as early as possible, cause the copies in both cases to be immediately forwarded to me, and I will cause them to be duly distributed.

I am solicited by several of the Officers in my Brigade to endeavour to have a part, if not all, the Militia of it furnished with arms.

The utility of its being done must be apparent to you, as we are as much or more subject to an invasion or insurrection than any part of the State. In case of the former, we should no doubt be among the first of the Brigades that would be ordered out, and in our present situation fifty men well armed and accoutred would nearly take a county. I am therefore hopeful, if it's practicable, you will order as many arms,

1796 &c. to say he [illegible] as will suffice us, or that the arrears can conveniently
May 12th [illegible]

With great personal respect I have &c.

May 12th JOHN TAYLOR TO THE GOVERNOR.

Montgomery county I am informed that two resignations has taken place in the officers in the Volunteer Militia Companies on our frontiers which I make no doubt has been made known to you before this time. If the vacancies are not yet supplied, Give me leave to recommend to your Excellency my son, William Taylor, as a person duly qualified to fill one of these places. I do not feel myself at Liberty to say anything more in his favour, but submit the matter to you.

I have, &c.

May 12th Petition for remission of fine for failing to return execution against John Jones, theretofore sheriff of Dinwiddie county.

May 16th J. MADISON TO THE GOVERNOR.

Williamsburg I am requested by the Court of Directors of the Hospital for Lunatics to transmit to your Excellency the enclosed order.

The disappointment which the Treasurer to the Hospital has met with in procuring the necessary sums for the support of the institution induces the Court to hope that the Executive will direct the payment of the order.

I have the honor to be, sir,
Your most obedient servant.

Order from the Treasurer of Hospital at Williamsburg, in favor of Jacob Allen for eleven pounds in part, for bringing John Spencer, Lunatic, from Hampshire.

May 16th PETITION OF WILLIAM GLASSELL FOR REMISSION OF FINE.

To His Excellency Henry Lee, Esq., Governor of Virginia, and the Honorable the Supreme Executive Council:

The Petition of William Glassell Humbly sheweth, That some time during the last year a certain —— Crane having opposed the sergeant of Fredericksburg in the execution of some civil process, which had

[illegible]

[illegible] Court, [illegible] a [illegible] of [illegible] committed [illegible] said [illegible] [illegible] [illegible] [illegible] murderers [illegible] [illegible] [illegible] [illegible] of the process aforesaid and [illegible] [illegible] That [illegible] the attempt to execute the process by the sheriff who was in such a more violent opposition, it is [illegible] [illegible] [illegible] [illegible]

1794. May 16th

of the original delinquent, but there are over and above these reasons to be drawn from the particular situation of your Petitioner, which he humbly hopes will be thought sufficient by your honorable board to induce a remission of his fine; such as the reports above mentioned, with the fear of the consequent prejudice that might arise, operating on the mind of the said Parke to induce an abscontion, which otherwise would not have happened, and which were circumstances arising after your petitioner had become bound for the said Parke, and of course unknown to him at that time.

WILLIAM GLASSELL.

We, the subscribers, inhabitants of Fredericksburg and its vicinity, believe the above statements to be strictly True, and therefore do join with the petitioner in praying your Honorable Board that the Fine may be remitted.

ROBERT MERCER,
Attorney for the Commonwealth for the District of Fredericksburg.
CHAS. MORTIMER,
JOHN LEGGS,
DAVID OLIVER,
ROBERT PATTON,
JOHN TALIAFERRO,
W. S. STONE,
And many others.

Writ of Scire Facias.

Fredericksburg District Court, April, 1794.

The Commonwealth vs. William Glassell, Def't. } Upon a Writ of Scire Facias.

This day came as well the Attorney for the Commonwealth as the Def't by his Attorney, and the said Def't relinquishing his former plea, saith that he cannot gainsay the Commonwealth's having Execution against him. Therefore it is considered by the Court, that the Commonwealth may have Execution against the said Defendant for the Two hundred pounds in the writ aforesaid mentioned, and pay the costs of this prosecution, and may be taken, &c.

A Copy—Teste:

JOHN CHEW, C. F. D. C.

PETITION OF JOSEPH JONES. 1794.

To the Governor and the Honorable Council of the State: May 16th

The petition of Joseph Jones, late Sheriff of Dinwiddie county, for remission of fines for failing to return Executions according to Law.

In the House of Delegates, Wednesday, Nov. 14th, 1792. May 16th

Petition of Joseph Jones, late Sheriff of Dinwiddie, for remission of fines for not returning Execution vs. John Jones, be remitted, granted on conditions.

David Patterson's Receipt for arms and accoutrements for use of militia of Chesterfield. May 16th

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H. KNOX, SECRETARY OF WAR, TO THE GOVERNOR. May 19th

I am instructed by the President of the United States to transmit to your Excellency the Act herein enclosed, entitled "An act directing a detachment from the Militia of the United States." War Department

In pursuance of this law, the President desires that you will take effectual measures, as soon as may be, to organize, arm and equip according to law, and hold in readiness to march at a moment's warning eleven thousand three hundred and seventy-seven of the militia of the State of Virginia, officers included.

The said officers to be either the present militia officers or others at the option of the Constitutional authority of your State. But it will be necessary that the organization of the said Corps be conformable to the act passed the 8th of May, 1792, entitled "An act to provide more effectually for the national defence, by establishing an uniform militia throughout the United States."

The President deems it expedient to authorize your Excellency to accept any independent corps of cavalry, artillery or infantry, as part of the aforesaid detachment of eleven thousand three hundred and seventy-seven; provided they shall voluntarily engage as corps in the service.

The term of service and allowances to the detachment are mentioned generally by the fourth section of the said act. But it is conceived proper that the pay, rations and forage be more precisely specified, as follows, to-wit:

1794.
May 19th

RANK.	Monthly pay. Dollars.	Rations per day.	Forage per month Dollars.
Major General,	One hundred sixty-six.	Fifteen.	Twenty.
Brigadier-General,	One hundred and four.	Twelve.	Sixteen.
Lieut.-Col. Commandant,	Seventy-five.	Six.	Twelve.
Major,	Fifty.	Four.	Ten.
Captain,	Forty.	Three.	Ten.*
Lieutenant,	Twenty-six.	Two.	Six.*
Cornet,	Twenty.	Two.	Six.*
Ensign,	Twenty.	Two.	
Surgeon,	Forty-five.	Three.	Ten.
Surgeon's Mate,	Thirty.	Two.	Six.
Sergeant Major,	Seven.	One.	
Quarter-Master Sergeant,	Seven.	One.	
Sergeant.	Six.	One.	
Corporal,	Five.	One.	
Senior Musician,	Six.	One.	
Musicians,	Four.	One.	
Privates,	Three.	One.	

The rations of provisions to consist of one pound of beef, or three-quarters pound of pork, one pound of bread or flour, half a gill of rum, brandy, or whiskey, or the value thereof at the contract price, when the same shall become due, and at the rate of one quart of salt, two quarts of vinegar, two pounds of soap, and one pound of candles to every hundred rations.

It is the earnest desire of the President that your Excellency would immediately take the most effectual means that the whole militia of Virginia, not comprised within the foregoing requisition, be armed and equipped according to law.

The people of the United States, increasing rapidly in wealth, population, and importance among the nations, ought not to indulge the expectation of being exempt from those agitations and dangers which seem inseparable from the human character. But it is our highest duty, that we should be in a perfect condition to preserve and defend ourselves against every injury to which we may be liable as a nation.

The President therefore hopes for a prompt and universal compliance with the law, as a measure upon which, under the protection of Heaven, our freedom and security may depend.

It is requested that you would be pleased to transmit, as early as may be, the information of the measures which may be adopted in the State of Virginia in consequence of this letter.

I have, &c.

*Cavalry.

JOHN CLARK TO THE GOVERNOR. 1794.

As the agents is amenable to the Executive for their conduct, it may be proper to state you from time to time what steps I have taken in the Execution of my office. May 19th Campbell

Likewise what doubts may arise in the same.

Quary: whether or not is the act of 1787, Intitled "an act for the more speedy recovery of the debts due the Commonwealth," appointing the mode for the Sheriffs selling of lands, in force and to be attended to, as well as the one appointing the agents.

About the 7th of April I received by Mr. Richardson the following papers, to-wit: A sup'a vs. the Clerk of Campbell, for a Default in his officer; Two Ex'ons vs. Wm. Ward, Ex'or of Ro. Adams, L. Sh'ff Campbell, for the Revenue of 1786 & 87; Two ditto vs. William Calloway, L. Sh'ff Bedford, for the one pr. Ct. & the Revenue of 1784; Two ditto vs. James Lyon, L. Sh'ff of Henry, for the Certificate Tax of 85 & 86; A ven's to Mitchel, L. Sh'ff of Patrick, vs. the said Lyon, for the Revenue 1787; One Ex'on vs. Wm. Tunstall, L. Sheriff of Henry, for the Revenue 1789; & Cap's vs. the Securitys of Ro. Harstone, L. Sh'ff of Henry.

I have delivered to the several Sh'ffs the papers aforesaid, and sent their receipts to the Auditor. Sales appointed, which will commence in a few days. Should I become a purchaser of any part of the property taken in Ex'on, Transmit a state of my proceedings in that Instance before I proceed to sell, as there was no Indossment on the several Ex'ons sent me how I was to conduct myself. I have reason to believe that Tunstall, L. Sh'ff of Henry, is Insolvent; the Security, If persued, are able. Also, it might be proper to persue the Securitys in Gen'l as well as the principal; it appears that the Securitys in several Instances hath purches up the H. Sh'ffs' property, by which means the Publick debts within this district will be secured, as well those come to hand as those have not.

This will be handed you by Capt. Clark, who will wait on you for my instructions or papers that you may please to send me.

I am, &c.

DAVID MULLENS TO THE GOVERNOR AND HONORABLE COUNCIL. May 20th

Complaint against the court of Goochland for not giving him the appointment of major for said county. Goochland

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E. LANGHAM TO THE GOVERNOR. May 20th

Asking for payment of account for furnishing provisions at Point of Fork to enable him to fulfil his contract. Fluvanna

[illegible] TO THE GOVERNOR

[illegible] [illegible] of the [illegible] Captain Quarrier took the best pieces in his possession would be kept with great convenience and safety was he permitted to erect a small house on or near the parade ground which might protect them from the injuries they would be exposed to if uncovered. As the ground was considered fixed on for the parade some distance out of town the person commissioned to the execution of will be difficult to remove the powder to every occasion from town to the place of meeting, and it is hoped that the small expense (for it would not exceed sixty dollars) of a house to cover the pieces might be readily incurred the more especially as it might protect all the artillery at this place.

I am, &c.

May 22nd. Bond of Allen Price and securities to furnish provisions for volunteer militia stationed in Kanawha.

May 22nd. JOHN PRENTIS AND JOSEPH JONES TO THE GOVERNOR.

Information. Represent that George Brown, convicted of Horse stealing by District court at Prince William, is probably of unsound mind, and therefore a subject for Executive clemency.

May 22nd. JOHN CHOPPER TO THE GOVERNOR.

Accepting appointment as agent for collection of arrears of tax in the ninth Brigade, and forwarding bond for same.

May 22nd. [illegible] CARY TO THE GOVERNOR.

Matters. Some time previous to the act of Congress laying an embargo on the Shipping within the United States, the Ship Brandon, Alexander Woodrow, Commander, Registered in the name of Alexander Macaulay, Merchant, of York, and cleared out by him for Tamasia bay, in East river, within the limits of this county, on receiving the act of Congress with instructions from the Executive, I went on board said Ship and showed Captain Woodrow the act with my instructions. He said he would by no means infringe the Laws of the country; that it was not possible for him to go to sea, as he had no stores on board that would

enable him to do so, but wished for permission to Fall down to Hampton Roads, where he might get his sea stores and be in readiness to proceed on his voyage when the embargo should be taken off. I gave him for answer, that I should have no objection to his doing so if I could be assured he would not go to sea. He then gave me his word that he would not, and thinking Mr. Macaulay accountable for his conduct I consented to his leaving East River and going to Hampton Roads, but have been informed within a few days that he went immediately to sea.

I have thought it my duty to lay the above report before the Executive, that such steps may be taken as they may think necessary.

1794 May 22d

I have, &c.

THOS. READE ROOTES TO THE GOVERNOR. May 23d

Application for arms and accoutrements for company of Light Infantry in this county. Caroline County

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WM. WHITLOCK TO THE GOVERNOR. May 23d

Application for small arms and accoutrements for use of artillery company in Petersburg. Richmond

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PETITION. May 23d

The Petition of Christopher Stedman, of the county of King & Queen, to his Excellency the Governor and Honorable members of the Privy Council, praying for remission of a fine for non-attendance as a grand juror.

Affidavit of Christopher Stedman as to reasons for not obeying summons to serve on grand jury, made before John Taylor Gordon, J. P. May 23d

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At a District Court held at King & Queen Courthouse on Saturday, the 15th day of September, 1792 May 23d

Fine imposed on Smith Young, Thomas Allen, Henry Clements and Joseph Bohannon, of Essex; Christopher Stedman, Ambrose Jeffries, of King & Queen; and John Roane, of Middlesex, for non-attendance as grand jurors.

1794. EDWARD ARCHER TO ROBERT GOODE, ESQ.

May 24th Norfolk — Praying for further indulgence of time on his bond to June, 1795. Bond for £48 12.

May 26th JOHN HAMILTON TO THE GOVERNOR.

Norfolk British Consul's Office

I have just been honored with your Excellency's letter representing to me that, by recent information received from Martinique, it appears that in the Cap't of the Brig David and George that the British Admiral on that Station subjects the American Citizens to personal distresses not warrantable by modern usage of nations, even in a state of war.

Fully convinced that none of His Majesty's Officers could be found capable of bringing a reproach on his country by vindictive cruelty to the individuals of any nation, and well aware of the great humanity which distinguishes the character of Sir John Jervis, I do not hesitate a moment to declare that it is my decided opinion that the Statement your Excellency has received, which does not less impeach that Gentleman's conduct as a British Officer than as a man, is erroneous, and that upon mature investigation, it will be found to be inaccurate and unsupported by facts.

I am, indeed, informed that the account received by the owner of the vessel in question conveys no imputation of inhumanity on the part of any of His Majesty's Officers.

However satisfied I may therefore be in my own mind of the improbability that an officer of any nation could have permitted himself to act in a manner so derogatory to his character, yet it is a justice due to your Excellency's representation, and to my own feelings in this matter, that it should be properly enquired into.

I shall, therefore, without loss of time, acquaint Sir John Jervis with the outrage alledged to have been committed by him, and require from him a true state of the Circumstances which attended the Capture of the Brig David and George, and of the subsequent treatment experienced by her Crew.

I have, &c.

May 28th T. WM. LOWTHER TO THE GOVERNOR.

Harrison County

Not having any account of the money due to the scouts and Rangers for their past services, and not being informed by what way it is to come, the men being neer naked for the want of it, I have taken the Liberty of Sining Mr. William Martin to your Excellency, with the Publick Papers Recommended by the District as a fit Person to Receive

and Pay out the money, and if Consistent, in hopes he may meet with the appointment of paymaster, or at least be entrusted to Receive the Money Due to this District. If the above proposition is not Consistent, Plese to inform me by Mr. Martin our Dependence in Giting of it. Your knowledge of our Situation Renders it unnecessary for me to Say anything more on this subject. 1794. May 28th

There is frequent discoverys made by our Scouts of the Savage Enemy on or near Banks of the Ohio, opposite the mouth of midle Iland. They have killed one man a few days agoe, in sight of Muskingum Garrison, so that we are waiting to feel the stroke of their cruelty.

I am, &c.

WILLIAM PRICE TO THE GOVERNOR. May 28th

Solicits the command of a Battalion of Militia in the quota ordered to be raised by act of Congress. Richmond

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Henrico County, Sct.:

I do hereby Certify that Carter Braxton, Esq., personally appeared before me, the subscriber, a Justice of the peace for the said county, and took the oath to support the Constitution of the United States, and also the oath prescribed by Law to be taken by members of the privy Council or Council of State. May 28th

Given under my hand this 28th day of May, 1794.

JOHN HARVIE.

J. PENDLETON TO JAS. WOOD, LIEUTENANT GOVERNOR. May 28th

On enquiring into the business which is the subject of the enclosed letter, I find that the Judgment against David Ward, as Sheriff of Russell County, for the taxes of '87, was obtained on a bond which makes him accountable for only the taxes of '86. The Bond given for the collection of the taxes for the year '87 has been very lately transmitted to me, on which we must now proceed, and the Ex'ons issued. Ward is not to take effect. In the other case, Judgment against Craig for Washington, was obtained on a Bond given for the taxes of '88. The bond under which he collected for '87, has not yet come to hand, and it is owing to this irregularity in forwarding the bonds given for the collection of the public taxes, that we fall into the error of proceeding against those who are not liable. Auditor's office

I am, &c.

1794. Montgomery County, May 13th, 1794.

May 28th Sir:

I acknowledge myself under singular obligations to you for the different favors Received from you and the Executive.

I received an Execution against the Estate of David Ward, late Sheriff of Russell. I attended at Mr. Ward's in order to superintend the sale, But on the day I appointed, the Sheriff or some of Mr. Ward's friends found that there was an error in the Execution, viz: That Ward was Sheriff for the year 1786, and the Execution was for 1787. I was at a loss how to proceed. But, for the reasons mentioned, the Sheriff did not sell the Property. I am of opinion that there will also be another mistake made in the Judgments obtained or to be obtained against Robert Craig, late Sheriff of Washington. I expect the Judgments will be superseded this session of the General Court.

I have not as yet had it in my power to recommend persons qualified for collectors of the arrears in the 17th Brigade. Was the notices sent forward at once against the delinquent Sheriffs, I think I would in this Brigade have either their money or their property so as it might answer the Purpose contemplated by the General Assembly.

I have recommended my son, William Taylor, to his Excellency as a proper person to serve as Ensign in the Volunteer Militia, there being two wanting, which, if not commissioned, will be much obliged to you for your Interest on that occasion.

I am, &c.,

JOHN TAYLOR.

May 13th, 1794.

Sir:

Immediately on the reception of my commission as agent of the Seventeenth Brigade, I proceeded to execute the duties of that office on such documents as accompanied it. But am sorry to say I have been unsuccessful in producing anything to supply the public Treasury. This arose from a mistake which appeared in the Execution sent against the Sheriff of Russell. It appeared he was not a collector for the year mentioned in the Execution, in consequence he refused to have his property exposed, and the Sheriff produced none.

I was then, and continued to be at a loss how to act under these circumstances, and must desire your direction herein.

I have some reason to suppose a similar mistake will arise in the proceeding against Robert Craig and Securities, Sheriff of Washington, which I hope will be particularly attended to by the Auditor.

My anxiety to compleat my business as agent, and to deposit the monies due to the public in the treasury, has induced me to hint as above. I trust my future exertions will be more productive. I have made application to some Gentlemen to undertake the collection of the arrears due

from the different counties within my brigade, whom I could with propriety have recommended to the Executive, but have hitherto been refused; yet I have a distant expectation that I shall in time be able to procure some who will engage in the business. 1794. May 28th

I have, &c.,

JNO. TAYLOR.

FRANCIS CORBIN TO THE GOVERNOR. May 29th

Solicits the appointment of Colonel in the Militia of the State ordered by act of Congress.

JOHN HAMILTON TO THE GOVERNOR. May 29th

In consequence of your Excellency's Request, that I should acquaint you with the names of the witnesses of the capture of the Schooner Delight and Ship Charles, I annex them: the names of two of the sailors Captain Craig does not recollect, and the articles are in his chest, which is not yet come up. I will take care, however, that your Excellency shall be informed of them. The captured vessels are supposed to be lying within the Capes of Virginia, or carried up to Baltimore, and the Ship of war to be gone in persuit of more prizes. Norfolk British Consul's office

It is necessary to observe, that the French Ship of war followed the vessels she captured out of the Capes.

I have, &c.

Names of Witnesses.	Where to be seen.
James Craig, Super Cargo,	Norfolk.
John Latham, Master,	Do.
William Cable and two names unknown,	Of the Schooner Delight.

Citizens of the United States.

Lewis Guion (who knows the names of most of the other evidences), Princess Anne.

Thomas Butler (Pilot, who knows the name of the Friendship), Norfolk.

J. H.

ALLEN PRYOR TO JAMES WOOD, LIEUTENANT-GOVERNOR. May 29th

Inclosed I submit to the Board the contract entered into by me with Mr. Cavendish, to supply the Troops raised for the defence of Kanawha with provisions. Richmond

[illegible]

[illegible]

[illegible]

Captain Langford of the British Ship Charles at same time, and we agreed to haul in for the land, to be within limits of neutrality—which we did. About one P. M. observed the French Ship (as we afterwards discovered her to be) give chase to the Charles; the Charles then being at anchor within one mile of the land. I saw her, the said French Ship, under French Colours, fire one Gun, and about five minutes after fire two more Guns; and in a short time after I saw the Ship Charles' Boat go on board the French Ship with five men, and return immediately on board the Charles with ten or eleven men. I then concluded she was taken, and used my best endeavors to get into the Capes again, but the wind being Northerly and an ebb-tide I could gain no ground. I then determined to run in close to the land, and came to an anchor within half a mile of it, which I did at two o'clock P. M., and let go both my anchors; got my boat out and abandoned the Schooner Delight, and went on shore with my crew and remained on the Beach until half past four P. M., when the said French Ship came up close to her, hoisted out her Boat, boarded her with eleven men, weighed the starboard anchor, and cut the larboard cable, and made sail with the said Schooner Delight, and carried her off, together with the Ship Charles, Captain Langford, in presence of myself and crew and a number of spectators on the shore. 1794. May 29th

JAMES CRAIG.

I confirm the foregoing narative.

JOHN LATHAM,
Master of Schooner Delight.

State of Virginia,
British Consul's Office:

Sworn to before me this twenty-ninth day of May, One thousand seven hundred and ninety-four.

JNO. HAMILTON, Consul.

HENRY BANKS TO THE GOVERNOR. May 30th

Solicits an appointment in the Select Corps of Militia of Virginia ordered to be raised by act of Congress. Richmond

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THOMAS NELSON TO JAMES WOOD, LIEUTENANT-GOVERNOR. May 30th

Having been honored by the Executive with the command of a company of Light Infantry in one of the battallions of the 68th Regiment, which company will be very soon full, but is entirely without arms, by Richmond

1794. May 30th which it is prevented in great measure from performing its duties, to do which that part which is already formed is very solicitous, I take the liberty to make this representation to the Hon'ble Board, and request that I may be allowed to procure for the Company, from some of the public Arsenals, such number of Arms and accoutrements as the Board may think fit to allow. This request will perhaps seem the more reasonable, and I shall appear the more excusable for the liberty I take in making it, when it is considered that the Company is established in a part of the State which is very near the sea coast, and open and exposed to all foreign invasion and practical inroad, to which, from present appearances, we have reason to believe we shall be very subject not long hence.

I have to inform the Board that the Company is not all as yet in uniform, but the men are preparing and furnishing themselves with it; so that before the arms could be sent to them from the Arsenal it will be completely uniformed. If the Board should think fit to allow arms, &c., I could wish that a box of light arms could be directed to be furnished from the Upper Arsenal, as I am informed that there are scarcely any at all, and none in order in Richmond.

I have, &c.

May 30th BEVERLY THORNTON TO THE GOVERNOR.

Soliciting an appointment as Major in the Militia expected to be called into service of United States.

May 30th Mingo, a slave, the property of Richard H. Corbin, of Middlesex county, convicted in the County Court of said county, on the 28th day of April, 1794, of preparing and exhibiting medicine, to be administered to George Turner, of Caroline county, was found guilty of said offence and condemned to be hanged.

May 31st SAMUEL WADDY TO THE EXECUTIVE.

The petition of Samuel Waddy, of the county of Louisa, for the remission of a fine imposed on him for retailing liquor contrary to law, and giving explanation of his conduct in vindication thereof.

Monthly Statement of Expenditures of Monies on account of Gun Carriages, implements, &c., and the Fortification of Norfolk Harbor by Daniel Bedinger, Agent: 1794. May 31st

1794.				
	On account of Gun Carriages, &c., paid sundries, viz:			
May 10.	Jesse Hodges, for Gin Iron Blocks & fall, complete,		122 98	
21.	John Foster, for nine 24 lb. gun Carriages, with Iron work, complete,		322 50	
24.	William Graves, for powder for sealing the guns,		164 04	
				609 52
	On account of the Fortifications, paid Sundries, viz:			
May 2.	William Vaughan, for a temporary Barracks & shed for tools, &c.,		39 22	
	Tucker & Calvert, for Shovels,		40 00	
8.	George Wilson, for wheelbarrows,		54 00	
10.	Edmund Powell, for lime,		1 364	
14.	Thomas Jones, for spades,		5 85	
17.	John Jenkins, for lime,		25 20	
	Johnston & Foster, for spades,		19 50	
22.	James Rider, for lime,		17 70	
24.	William Brock, for provisions,		159 92	
27.	Robert Tart, for a Boat,		22 00	
30.	Negro Dick, for lime,		3 00	
31.	George Wilson, for wheelbarrow,		36 00	
	George Billups, for scantling and plank,		78 91	
	Advanced to Sundries on Acc't, to-wit:			
	Max Herbert, on acc't platforms,	100 00		
	John Foster, " do.	17 00		
	William Vaughan, do.	100 00		
	Wm. Graves, Labourer, Labor,	120 00		
			337 00	
				851 94
				1,461 46

DANIEL BEDINGER, Agent.

Norfolk, May 31st, 1794.

1794. May 31st

Dr. The United States, in acc. with Daniel Bedinger. Cr.

1794.			1794.		
May 31.—To Cash paid sundries on account of the Fortifications of Norfolk Harbor, viz:			May 1.—By Cash rec'd of William Lindsay, Collector of District of Norfolk & Portsmouth,		1,000 00
William Vaughan, for building temporary Barracks and Shed for implements, provisions, &c.,		39 22			
Tucker & Calvert, for Shovels,		40 00			
George Wilson, for wheelbarrows,		54 00			
Edmund Powell, for lime,		13 64			
Thomas Jones, for Spades,		5 85			
John Jenkins, for lime,		25 20			
Johnston & Foster, for Spades,		19 50			
James Rider, for lime,		17 70			
William Brock, for provisions,		159 92			
Robert Tart, for a Boat,		22			
Negro Dick, for lime,		3			
		400 03			

June 1st

PHIL. JOHNSTON TO THE GOVERNOR.

The commissions for the Officers of Virginia Regiment I have the honor to command, came to hand some time past, which I delivered to my Majors, with instructions to them to be delivered to the officers of their respective Battalions immediately, who informs me that on the offering the commissions at a meeting of the officers for that particular purpose, on discovery of the Light Infantry officers having the Rank of many Gentlemen who were entitled to Rank, refused to accept their commissions, unless the precedent was general throughout the State, of which you will inform me.

I have, &c.

June 1st

ROBERT BROOKE TO THE GOVERNOR.

Fredericksburg

In compliance with the promise contained in my last, I attended at the District Court at Dumfries in order to sustain the inquisitions which had been found for the Commonwealth in the county of Loudoun,

and am sorry to add that, in consequence of its having been informally drawn up, it was superceded and quashed by the court without any enquiry into the merits of the title to the Land. 1794 June 1st

I also found in the same court an inquisition found against the State before the Escheator for the county of Fairfax, and conceiving it my duty to attend to this also, I took such exceptions to it as induced the Court to quash that likewise, so that the business in the above named counties is again to be commenced, when I hope it may be so conducted as to suffer it to progress to an ultimate decision.

Under my original instructions, I shall attend the Escheator of Fauquier, on the 25th instant, and of Frederick on the 1st of July.

I have, &c.

SAMUEL A. OTIS TO THE GOVERNOR. June 1st

In obedience to the order of Congress, I do myself the honor to transmit to your Excellency a copy of the Journals of Senate of United States, at the first session of the third Congress. Office Secretary of Senate United States

I shall thank you for a line acknowledging the receipt of the copy.

I have, &c.

JOHN TINSLEY TO JAMES WOOD, LIEUTENANT-GOVERNOR. June 21

As the Court of the County of Fluvanna, which is the place of my residence, has delayed to send forward their recommendations for the proper officering the militia of said county agreeable to law, and as there are none of the present officers of the militia who appear to be disposed to solicit the command of the Light Infantry company (required by law), I am under these circumstances induced to make application to your honorable board for the said appointment of Capt. of the Light Company, and do recommend as my subalterns, Mr. Matt Haden and Dr. John Wills. Richmond

If the Board thinks there will be no impropriety in issuing the commissions on this application, they will particularly oblige me by as speedy a decision as may be convenient.

I have, &c.

DUDLEY WOODWORTH TO THE GOVERNOR. June 24

Solicits an appointment as Captain or First Lieutenant in the militia ordered out by Congress. Richmond

1794. SAMUEL MARSH TO THE GOVERNOR.

June 21 Norfolk. Soliciting appointment as Notary Public for Norfolk.

June 21 A List 3rd Company of the first Battalion of the 54 Regiment of Militia that went to work on Fort Nelson the 21st day of June, 1794, commanded by William Vaughan:

Persons' names who went to the Fort.

William Vaughan,
Hugh McPherson,
John Henderson,
Benjamin Payne,
Christopher Fry,
Daniel McPherson,
Samuel Marsh,
Henry Williams,
William Atkinson,
William Clark,
James Christie,
John Abbott,
Thomas Ryan.

Those who sent Substitutes.

Herman Redman,
John Taylor,
John Logan,
Charles Smith,
William Pennock,
John Nivison,
Soudamore Nichols,
Richard Burk,
Thomas Gatewood.

Those who refused.

John Elliott,
John Saunders, Ensign,
Francis Foster, Sergeant,
James Barry,
Thomas Miller,
Quinton Clark,
John M. Burt,
John Raynolas,
George Komp,
Philo Mills,
William Komp,
George Stewart,
James Heron,
Josiah Bigsby,
Warren Ashley,
Benjamin Lindsay,
Daniel Dar,
James Dewsbury,
Dempsey Casey,
Joseph Dean,
James Hall,
Adam Lindsay,
William Lawson,
John Southgate,
Phinehas Dana,
William Cooke,
John Randall.

Guard on that day.

Francis Thorogood, Sergt.,
John Bigg,
John Nivison,
John Elliott (Refused),
William Clark (Refused),
Dunbar Sloan,
Scud'm Nicols,
Charles Mortimore.

SAMUEL COLEMAN TO THE LIEUTENANT-GOVERNOR. 1794.

To aid in facilitating the business of organizing 11,377 of the Militia of Virginia, in pursuance of the laws of Congress, I beg leave to state for the information of the Executive, that the Militia of Virginia compose 101 Regiments, as per the enclosed statement, in which is noted the particular situation of each. June 2d

Be pleased to consider the said statement as a Report, which heretofore it has been my duty to make to the Executive.

I have, &c.

STATEMENT OF THE MILITIA OF VIRGINIA. June 2d

No. of Regiment, 1.—Amelia: 855 Free white males of 16 years and upwards, according to Congress. Brigade 4. Division 1. Organized by Commissioning Field Officers and 9 Companies, Light Infantry not specially Commissioned.

Reg't 2.—Accomack: 1,149 Free white males of 16 years and upwards. Brigade 9. Division 4. Field Officers and 12 Companies including two Light Infantry Commissioned. The number of free white males of 16 years & upwards here stated is but half of that contained in the County, as by the amendatory Militia law passed at the last Session of Assembly this county is to compose an additional Regiment.

Reg't 3.—Orange: 1317 Free white males of 16 years & upwards. Brigade 1. 2 Division. Organized as the Second Regiment.

Reg't 4.—Ohio: 1,222 Free white males of 16 years & upwards. Brigade 10. 3 Division. Organized as the Second Regiment.

Reg't 5.—Culpeper: 1,124 Free whites of 16 years & upwards. Brigade 1. Division 2. This County composes two Regiments, and the remark against the County of Accomack as it respects the number of Free white males of 16 years and upwards is applicable here. The commissions to the field & Light Infantry Officers only to both Regiments have been issued.

Reg't 6.—Middlesex & Essex: 1,315 Free white males of 16 years & upwards. Brigade 14. Division 4. The commissions have issued to a Major and four Companies for Middlesex, which composes the first Battalion, and the second Battalion, composed of the Militia of Essex, has not yet been commissioned. No recommendation.

Reg't 7.—Norfolk: 884 Free white males of 16 years & upwards. Brigade 9. Division 4. This Regiment is Officered; but as this county composes another Regiment not yet organized, and as the free white males of 16 and upwards in the Borough of Norfolk which composes another Regiment are included in the number stated in the Census, I have only annexed one-third of the said free white males.

Reg't 8—Rockbridge: 1,517 Free white males of 16 years and up-

1794. June 2d wards. 13 Brigade. 3 Division. Not commissioned. The recommendation has been received but wants some explanation, which is requested.

Reg't 9.—King & Queen: 995 Free white males of 16 years and upwards. Brigade 14. Division 4. Commissioned Field Officers & 12 Companies, including 2 Companies of Light Infantry.

Reg't 10.—Bedford: 893 Free white males of 16 years & upwards. Brigade 12. Division 1. Field Officers. 12 Captains, including two for Light Infantry, together with subalterns for Light Infantry, only Commissioned. This County composes two Regiments, both in the same predicament; half of the free white males upwards of 16 years stated.

Reg't 11.—Harrison & Randolph: 708 Free white males of 16 years and upwards. Brigade 10. Division 3. This Regiment is organized by commissioning a Lt.-Col. Commandant, Major, &c. Companies, including one Company of Light Infantry in Harrison & a major and 3 companies in Randolph.

Reg't 12.—Fluvanna: 589 Free whites of 16 years and upwards. Brigade 3. Division 2. Organized by Commissioning Field Officers & 6 Companies.

Reg't 13.—Shenandoah: 1,205 Free white males of 16 years and upwards. Brigade 7. Division 3. Organized by Commissioning Field Officers and 12 Companies, including 2 Companies of Riflemen, containing half the number of free white males upwards of 16 years in the county.

Reg't 14.—Hardy: 1,108 Free white males of 16 years and upwards. Brigade 10. Division 3. Organized by Commissioning Field Officers & 10 Companies.

Reg't 15.—Sussex: 1,215 Free whites of 16 years & upwards. Brigade 8. Division 4. Field Officers & 10 Commissioned.

Reg't 16.—Spotsylvania: 1,361 Free whites of 16 years and upwards. Brigade 1. Division 2. Organized, Field Officers & 12 Companies, including 2 of Light Infantry Commissioned.

Reg't 17.—Powhatan & Cumberland: 1,508 Free white males. Brigade 4. Division 1. A Major & 6 Companies commissioned in Powhatan, and the other Field Officers and 6 Companies in Cumberland.

Reg't 18.—Patrick: 762 Free white males of 16 years and upwards. Brigade 12. Division 1. Field Officers & 11 Companies, including 2 Rifle Companies Commissioned.

Reg't 19.—City of Richmond: 912 free white males of 16 years and upwards. Brigade 2. Division 4. Field officers and 10 companies including 2 Light companies commissioned.

Reg't 20.—Princess Anne: 1,169 Free white males of 16 years and upwards. Brigade 9. Division 4. Field officers and 11 companies, including 2 companies of Light Infantry commissioned.

Reg't 21.—Gloucester: 799 Free white males of 16 years & upwards.

1794. June 2d

Brigade 14. Division 4. Field officers and eight Captains commissioned. Wait for recommendations.

Reg't 22.—Mecklenburg: 929 Free males of 16 years and upwards. Brigade 15. Division 1. Field officers and 12 companies, including 2 of Light Infantry commissioned, (half the free white males, &c).

Reg't 23.—Chesterfield: 1,652 free white males of 16 years and upwards. Brigade 4. Division 1. Completely organized.

Reg't 24.—Buckingham: 1,274 free white males of 16 years and upwards. Brigade 4. Division 1. Field officers and fourteen companies commissioned.

Reg't 25.—King George: 757 Free white male of 16 years & upwards. Brigade 5. Division 2. Field officers and 8 companies commissioned.

Reg't 26.—Charlotte: 1,285 Free white males of 16 years and upwards. Brigade 11. Division 1. Field officers and 12 companies, including 2 of Light Infantry commissioned.

Reg't 27.—Northampton: 857 Free white males of 16 years and upwards. Brigade 9. Division 4. Field officers and 9 companies, including 1 of Light Infantry commissioned.

Reg't 28.—Amherst: 1,028 Free males of 16 years and upwards Brigade 3. Division 2. Completely organized.

Reg't 29.—Isle of Wight: 1,208 Free white males of 16 years and upwards. Brigade 8. Division 4. Completely organized.

Reg't 30.—Caroline: 1,799 Free white males of 16 years and upwards. Brigade 1. Division 2. Completely organized.

Reg't 31.—Frederick: 1,918 Free males of 16 years and upwards. Brigade 16. Division 3. Field officers and 12 companies, including 2 companies of Light infantry commissioned, (rank not ascertained.)

Reg't 32.—Augusta: 2,048 Free white males of 16 years and upwards. Brigade 7. Division 3. Field officers and 12 companies, including 2 of Light infantry commissioned.

Reg't 33.—Henrico: 912 Free white males of 16 years and upwards. Brigade 2. Division 4. Field officers and 11 companies, including one company of Light Infantry commissioned.

Reg't 34.—Culpeper: 1,124 Free white males of 16 years and upwards. Brigade 1. Division 2. See 5th Reg't. This is exactly in the same situation.

Reg't 35.—Wythe: 678 Free males of 16 years & upwards. Brigade 17. Division 3. This county composes 2 Regiments; 1 has been organized.

Reg't 36.—Prince William: 822 Free white males of 16 years & upwards. Brigade 5. Division 2. This county composes 2 Regiments; 1 has been organized.

Reg't 37.—Northumberland: 1,046 Free white males of 16 years and upwards. Brigade 14. Division 4. No recommendation has ever come to hand.

1794. June 21 Reg't 38.—Goochland: 1,022 Free white males of 16 years & upwards. Brigade 3. Division 2. Completely organized.

Reg't 39.—Dinwiddie: 895 Free white males of 16 years & upwards. Brigade 15. Division 1. This county composes 2 Regiments; one has been organized.

Reg't 40.—Louisa: 957 Free white males of 16 years & upwards. Brigade 3. Division 2. Field Officers & 10 companies commissioned.

Reg't 41.—Richmond & Westmoreland: 1,519 Free white males of 16 years and upwards. Brigade 14. Division 4. Westmoreland Battalion only commissioned. No recommendation from Richmond.

Reg't 42.—Pittsylvania: 1,004 Free white males of 16 years & upwards. Brigade 11. Division 1. This county composes two Regiments. Disputes respecting Rank has prevented the organization of either.

Reg't 43.—Franklin: 1,266 Free white males of 16 years & upwards. Brigade 12. Division 1. Completely organized.

Reg't 44.—Fauquier: 1,337 Free white males of 16 years & upwards. Brigade 5. Division 2. In the same situation with the 42 Regiment.

Reg't 45.—Stafford: 1,341 Free white males of 16 years & upwards. Brigade 5. Division 2. Field officers and 14 companies commissioned.

Reg't 46.—Pendleton: 568 Free white males of 16 years & upwards. Brigade 10. Division 3. Field officers & 8 companies commissioned.

Reg't 47.—Albemarle: 852 Free white males of 16 years & upwards. Brigade 3. Division 2. Field officers & 10 companies, including 2 of Light Infantry, commissioned.

Reg't 48.—Botetourt: 1,018 Free white males of 16 years and upwards. Brigade 13. Division 3. Completely organized.

Reg't 49.—Nottoway: 855 Free white males of 16 years & upwards. Brigade 4. Division 1. Completely organized.

Reg't 50.—Greensville: 669 Free white males of 16 years & upwards. Brigade 15. Division 1. Field officers & 8 companies commissioned.

Reg't 51.—Frederick: 1,918 Free white males of 16 years & upwards. Brigade 16. Division 3. See the 31st Regiment. This is in the same situation.

Reg't 52.—Charles City and New Kent: 1,137 Free white males of 16 years and upwards. Brigade 2. Division 4. Completely organized.

Reg't 53.—Campbell: 1,236 Free white males of 16 years and upwards. Brigade 12. Division 1. Completely organized.

Reg't 54.—Norfolk Borough: 884 Free white males of 16 years and upwards. Brigade 9. Division 4. Field officers and 6 companies commissioned.

Reg't 55.—Berkeley: 2,126 Free white males of 16 years and upwards. Brigade 16. Division 3. Completely organized.

Reg't 56.—Loudoun: 1,838 Free white males of 16 years and upwards. Brigade 6. Division 2. Field officers only commissioned.

Reg't 57.—Loudoun: 1,838 Free white males of 16 years and upwards. Brigade 6. Division 2. Field officers only commissioned.

1794. June 2d

Reg't 58.—Rockingham: 1,816 Free white males of 16 years and upwards. Brigade 7. Division 3. Field officers commissioned. The recommendation of Captain and subalterns has been received, but wants explanation which is requested.

Reg't 59.—Nansemond: 1,215 Free white males of 16 years and upwards. Brigade 8. Division 4. Completely organized.

Reg't 60.—Fairfax: 2,138 Free white males of 16 years and upwards. Brigade 6. Division 2. Completely organized.

Reg't 61.—Mathews: 798 Free white males of 16 years and upwards. Brigade 14. Division 4. Field officers and 8 companies, including 2 companies of Light Infantry commissioned.

Reg't 62.—Prince George: 965 Free white males of 16 years and upwards, Brigade 8. Division 4. Field officers and 11 companies, including 1 of Light Infantry commissioned.

Reg't 63.—Prince Edward: 1,044 Free white males of 16 years and upwards. Brigade 11. Division 1. Completely organized.

Reg't 64.—Henry: 1,523 Free white males of 16 years and upwards. Brigade 12. Division 1. Field officers and 7 companies, including 2 Rifle companies commissioned.

Reg't. 65.—Southampton: 1,632 Free white males of 16 years and upwards. Brigade 8. Division 4. Completely organized.

Reg't 66.—Brunswick: 736 Free white males of 16 years and upwards. Brigade 15. Division 1. Field officers only commissioned.

Reg't 67.—Berkeley: 2,126 Free white males of 16 years & upwards. Brigade 16. Division 3. Completely organized.

Reg't 68.—Elizabeth City, James City, Warwick, and York: 1,491 Free white males of 16 years and upwards. Brigade 2. Division 4. Field officers and 12 companies, including 1 company of Light Infantry commissioned.

Reg. 69.—Halifax: 1,107 Free white males of 16 years and upwards. Brigade 11. Division 1. Completely organized.

Reg. 70.—Washington: 1,287 Free white males of 16 years & upwards. Brigade 17. Division 3. Completely organized.

Reg't 71.—Surry 732: Free white males of 16 years & upwards. Brigade 8. Division 4. Field Officers and 8 Companies Commissioned.

Reg't 72.—Russell: 434 Free white males of 16 years & upwards. Brigade 17. Division 3. A Lt.-Colonel, 1 Major and 6 Companies, including 1 Company of Grenadiers Commissioned.

Reg't 73.—Lunenburg: 1,110 Free white males of 16 years & upwards. Brigade 15. Division 1. Completely organized.

Reg't 74.—Hanover: 819 Free white males of 16 years & upwards. Brigade 2. Division 4. Completely organized.

Reg't 75.—Montgomery: 1,018 Free white males of 16 years & upwards. Brigade 17. Division 3. Completely organized.

Reg't 76.—Monongalia: 1,089 Free white males of 16 years & up-

1794. June 24 wards. Brigade 10. Division 3. Field Officers commissioned by advice of Council.

Reg't 77.—Hampshire: 1,662 Free white males of 16 years & upwards. Brigade 10. Division 3. Completely organized.

Reg't 78.—Grayson: 678 Free white males of 16 years & upwards. Brigade 17. Division 3. Field Officers and 10 Companies, including 2 of Riflemen Commissioned.

Reg't 79.—Greenbrier: 732 Free white males of 16 years & upwards. Brigade 13. Division 3. Organized.

Reg't 8.—Kanawha: 731 Free white males of 16 years & upwards. Brigade 13. Division 3. No recommendation.

Reg't 81.—Bath: 551 Free white males of 16 years & upwards. Brigade 13. Division 3. Field Officers & 10 Companies, including 2 Companies of Riflemen Commissioned.

Reg't 82.—Madison: 1,124 Free white males of 16 years & upwards. Brigade 1. Division 2. Completely organized.

Reg't 83.—Dinwiddie: 895 Free white males of 16 years & upwards. Brigade 15. Division 1. Recommendation received and Commission issued immediately.

Reg't 84.—Halifax: 1,107 Free white males of 16 years & upwards. Brigade 11. Division 1. Completely organized.

Reg't 85.—Fauquier: 1,337 Free white males of 16 years & upwards. Brigade 5. Division 2. In the same situation with the 44th.

Reg't 86.—Montgomery: 1,018 Free white males of 16 years & upwards. Brigade 17. Division 3. No recommendation.

Reg't 87.—King William: 723 Free white males of 16 years & upwards. Brigade 14. Division 4. This Regiment is entirely without officers, the Court having failed to recommend according to law.

Reg't 88.—Albemarle: 852 Free white males of 16 years & upwards. Brigade 3. Division 2. Completely organized.

Reg't 89.—Prince William: 822 Free white males of 16 years & upwards. Brigade 5. Division 2. No recommendation.

Reg't 90.—Amherst: 1,028 Free white males of 16 years & upwards. Brigade 3. Division 2. Completely organized.

Reg't 91.—Bedford: 893 Free white males of 16 years & upwards. Brigade 12. Division 1. In the same situation with the 10th Regiment.

Reg't 92.—Lancaster: 535 Free white males of 16 years & upwards. Brigade 14. Division 4. A major & five companies commissioned.

Reg't 93.—Hanover: 819 Free white males of 16 years & upwards. Brigade 2. Division 4. Completely organized.

Reg't 94.—Lee: 300 Free white males of 16 years & upwards. Brigade 17. Division 3. A major & five companies, including 1 of Grenadiers, commissioned.

Reg't 95.—Norfolk: 884 Free white males of 16 years & upwards. Brigade 9. Division 4. Recommendation wants explanation, which is requested.

Reg't 96.—Brunswick: 736 Free white males of 16 years & upwards. 1794.
Brigade 15. Division 1. No recommendation. June 2d

Reg't 97.—Shenandoah: 1,204 Free white males of 16 years & upwards. Brigade 7. Division 3. Completely organized.

Reg't 98.—Mecklenburg: 928 Free white males of 16 years & upwards. Brigade 15. Division 1. No recommendation.

Reg't 99.—Accomack: 1,148 Free white males of 16 years & upwards. Brigade 9. Division 4. No recommendation.

Reg't 100.—Wythe: 678 Free white males of 16 years & upwards. Brigade 17. Division 3. No recommendation.

Reg't 101.—Pittsylvania: 1,004 Free white males of 16 years & upwards. Brigade 11. Division 1. See the 42 Regiment. This is in the same predicament.

EDW'D CARRINGTON TO JAMES WOOD, LIEUTENANT-GOVERNOR. June 2d

The enclosed letter, from Mr. Peyton, is enclosed to me by Mr. Smith, Richmond
as Inspector of Revenue, as amounting to a draft for four hundred and eighty-six dollars & 53 cents, which have been advanced to Mr. Peyton for the purposes therein stated. I will thank you to take such steps as will give me the money from the Treasury, in order that it may be placed to Mr. Smith's credit in my Books.

I am, &c.,

R. QUARLES TO JAMES WOOD, LIEUTENANT-GOVERNOR. June 2d

When my Contractor for the Post, under my direction, engaged to Richmond
furnish Rations at 6¾ per Ration, it was under an Idea that he was not to be exposed to the trouble of Issuing said Rations. I therefore have taken the Liberty, as you may perceive, to make an Increase of 5 shillings per month to the wages of my Sergt., & have imposed on him that office.

If the Board think proper, I will proceed to have a wheel made and the necessary articles prepared at the Post for the purpose of polishing our mountings & Locks; it will greatly facilitate that business, & will not, I presume, cost more than four or five pounds.

I have, &c.

THO. NEWTON, JR., TO JAMES WOOD, LIEUTENANT-GOVERNOR. June 3d

The enclosed recommendations for Aldermen I have forwarded, that Norfolk
if the Council think proper we may have the Commissions down that

[illegible]

[illegible]

[illegible]

Detachment. We should wish to know as soon as possible whether or not we shall be accepted of and Commissioned, as it will prevent the Company from going to considerable expense. We also wish to know how far we may be subject to the present Militia Law, and if we are to attend Battalion & Regimental musters, what Rank we are to take as a Company, and if, after a Draught, there are any of the men Draughted who are willing to Uniform themselves they may not be permitted to join our Company? 1794. June 3d

We find great difficulty in procuring musketts there being none to be had either in Alexandria or Baltimore.

We are, &c.

In pursuance of a law of Congress of the 9th of May, 1794, entitled an act directing a detachment from the militia of the United States, and in conformity to the third section of the said act, which authorizes the Executives of the several states to accept of Independent volunteer corps as part of the said detachment, we the subscribers do form ourselves into an independent volunteer company of Infantry, to act under the aforesaid law, and do hereby also subject ourselves to such rules and regulations as shall be adopted by a majority of the company for the Government thereof.

Wm. Barnes, Captain,	W. H. Gilbert,
George Graham, Lieutenant,	Loftus Nool,
John Williams, Ensign,	Mungo Hancock,
Samuel Davis,	Thos. Oliver,
John McCrery,	James Hayes,
Geo. Williams,	John Bronaugh,
John Daniel,	Geo. Brooke,
Jesse Williams,	James Gulonett,
Asa Blansett,	John O'Conner,
William Scott,	John Muschett,
Jas. Triplett,	James Barnett,
George Johnston,	William Gunyon,
David Boyle,	James Johnston,
Christopher Russell,	John Atwell,
Jesse Taylor,	Ezekiel Donnell,
Hugh Atwell,	Geo. Lane,
Esme Smock,	James Deneal,
Peter F. Mauger,	

Several others have promised to sign, but are absent at present.

Uniform of the above company, viz:

Cocked Hats with a black feather tipped with red, and the Cockade of the United States. Black Stock, long blue court faced with red and lined with white shalloon. White vest and breeches with black knee bands, white stockings, and black spatter dashes.

1794. JOSEPH JONES TO LIEUTENANT-GOVERNOR WOOD.

June 3d Praying that the fine imposed on him as sheriff of Dinwiddie county be reduced to £50 or £60, if not remitted altogether.

June 3d The damages on the Judgment obtained against John Jones as Sheriff of Dinwiddie county for the tax due for the year 1788, amounted to four hundred and eighty-six pounds 8–5, which sum was remitted by the General Assembly on the return of the execution satisfied, except as to damages by Joseph Jones, his successor.

J. PENDLETON.

Auditor's Office, 7th June, '94.

June 4th THOS. NEWTON, JR., TO THE GOVERNOR.

Norfolk Inclosed your Excellency will receive an order passed by a court of Aldermen, this day, which I hope will have a good effect, but if your Excellency would issue a proclamation forbidding such proceedings, calling on the good people to aid the Justices in their duty, I am sensible it would have the best of effects.

I will do myself the honor of waiting on you in the course of the day, and am with the greatest respect,

Your, &c.

Norfolk Borough:

At a Court of Aldermen summoned and held the 4th day of June, 1794:

Present.—Thos. Newton, Jr., Esq., Mayor, Richard E. Lee, Esq., Recorder, Paul Loyall, James Taylor, Donald Campbell, Baylor Hill Gent. Aldermen:

The court taking into consideration the riot raised in the town yesterday, and being determined to suppress any thing of the kind in future, came to the following resolutions:

That the Mayor be requested to publish in hand-bills, for the information of the citizens of this Corporation, that the Mayor, Recorder, and Aldermen are determined to exert themselves in preserving the peace of the Town, and to bring to punishment all who offend against the Law; and that a copy of this Resolution be transmitted to his Excellency the Governor.

A Copy—Teste:

ALEXANDER MOSELEY, C. N. C.

W. F. Peake to the Governor. 1794.

As I am now a residenter of the State of Kentucky, if you think that I am Intitled to any Land for Services in the late War, as you formerly told us we should Receive, I should Esteem it as a perticular favor in you to inform me how I am to Git it. And as for my acc'ts you was kind Enough to receive with my Petition that you sent to your Brother to Congress, I have heard nothing of. Your Brother told me he Rec'd no papers but the Petition. I hope you will assist me as far as is just. I likewise should be much Obliged to you for your Interest with General Pickering to get me in the Post Line in Kentucky, as Riding is the only Business I am able to Perform, Occationed by my wounds Rece'd when commanded by you. I am now on my way to Philadelphia on that Business, and should be happy to receive advise from you by the stage sent to the Post Office in Philadelphia. June 5th Richmond

Your fav'r shall be acknowledged by

Your, &c.,

A certificate of this man's services is necessary to obtain his bounty in land.

Thomas Parker to the Governor. June 6th

The day after I had the honor to write you by Mr. Carter, I received my appointment as agent for this district, and since that time a duplicate signed by the Lientenant-Governor; but no instructions have yet come to hand, which induces me to believe that they may have miscarried. I will therefore thank your Excellency to order them on, that I may proceed on the business which I am anctious to compleat as soon as possible. I beg your Excellency's advice with respect to a volunteer Troop of Horse who are forming themselves in this neighborhood, & who have selected me to take the command of them. Frederick County

They are nearly equipped, and will oblige themselves to march at a moment's warning. They still continue to do duty in the respective companies of militia to which they belong. Perhaps they might be accepted as part of the State's Quota that are ordered to be in readiness. If this can be done, I will thank you for information, or if there is any impropriety in forming such a corps, I will thank you exceedingly to advise me of it.

I have, &c.

John Mayo to James Wood, Lieutenant-Governor. June 6th

As the Bill which was pending before Congress for the establishment of a Select Militia throughout the United States has passed into a law, Richmond

1794. June 6th

and as it has ever been my predominent wish to answer the first call of my country in a military line, I hope I shall not be thought presumptuous in offering my services as one of the quota allotted to this State. If officers who have had the advantage of practical knowledge in military affairs are to be had to fill those offices, I am too much the friend of my country to wish to advance myself to the exclusion of them, or the prejudice of our common cause; but if in making the arrangements, your honorable board should find it necessary to travel into the circle of those, who like myself, know these things only in theory. I trust the glory of our country will never be tarnished, or their confidence misplaced by the appointment with which they may think proper to honor me.

I am, &c.

June 6th

JAMES A. BRADLEY TO THE GOVERNOR.

I am informed of several of the Brigades being furnished with Artillery, and in having reference to the militia Law of 1792, I find that the Council are orthorized to commission officers necessary to a Company of Artillery to each Brigade. Conceiving it consistent to desire you to furnish the Eighth Brigade with which number of cannon that has been furnished other Brigades, or you may think proper to furnish the one above alluded to, have directed this Letter to the care of Captain Joseph Weiserger, who will hand it to you, and if you think proper to have any cannon furnished, will take charge of it—you being so good as to inform him whether they are forwarded to each Brigade by the Public or at the expence of the Brigade. If the former, I must solicit you to have them sent immediately to Petersburg; if the latter, you will be good enough to advise Captain Weisiger of it and he will have it done.

Should we be furnished with artillery, which is my opinion we ought to be, the recommendations of the officers necessary to the company shall be immediately forwarded to you. Hopeful I have not this, or have I on any former occasion, solicited or asked for is not at present, or would not in a little time I am fearfull; But for the quiet and happiness of our Country be proper should take place.

If I have, attribute it not to design, but from a zeal to sea the militia of my Brigade will — tred. It shall be my studdy to have them disciplined.

I am a friend to peace and prefer it, but I am fearfull we have preferred the latter too long. I am no longer of opinion we should bruke the Insults of those Pendantick wretches the (Britons), and show them we have spirit to meet them again in the field of Battle, and Bility to drub them; and I am hopefull unless they very soon alter their conduct it will take place.

With very great respect, &c.

ROBERT GOODE TO GENERAL WOOD, LIEUTENANT-GOVERNOR. 1794.

Mr. Wm. Hay being Ill, and the difficulty to procure a meeting of the Directors of the Public Buildings, Induces me (being one of that body) to request a further advance of Two Hundred Dollars to the Stone Masons, they being much in want of that sum to pay the Freight of the Stone to this place. June 7th Richmond

Am, &c.

Henrico County, Sc.:

I do certifie that I have this day administered to The Hon'ble Larkin Smith the oaths required by the Law of this State to be taken by a member of the privy Council, and also the oath required by an Act of Congress.

Certified this 7th day of June, 1794.

J. PENDLETON.

WM. LINDSAY TO THE GOVERNOR. June 7th

I am just informed by Mr. Hunter, the dep'y Marshal, that he has released the Ship Isaac by an order from the Judge, and that Mr. Cooper informed him the Ship was about to sail. I formerly advised you that this vessel was armed and fitted in this Port. Norfolk

I am, &c.

J. W. RIVARDI TO THE GOVERNOR. June 9th

I was very disagreeably disappointed in not being able to do myself the honor to wait upon you yesterday. The weather was so bad and my breast so very painful that I could not possibly follow my inclinations, and was forced to submit to necessity.

I received your letter, and take this opportunity to assure you again that no pains shall be wanted on my part to answer your expectation and comply with your intentions. We could not collect any hands today. I am afraid it will likewise be the case to-morrow. We must try and make up that loss of time as soon as the holidays are over. Here I enclose a Plan of Fort Nelson, which soon will be followed by that of the distillery, and shortly after by the necessary drawings of Craney Island & its defences. To-morrow I shall send plans to Philadelphia, as I expect to have them finished to-day.

1796 June 24. As soon as is present Mr. Rivardi's best respects to Mrs. Lee and to express his gratitude for the polite attention during his stay here. Excuse this very short letter and believe me to be

Very respectfully yours &c.

June 24. H. KNOX, SECRETARY OF WAR, TO THE GOVERNOR.

War Department. I have the honor to acknowledge the receipt of your Excellency's letter of yr 20 May last, which has been submitted to the President of the United States.

Major Rivardi estimated that twelve hundred dollars would be required in addition to the sum appropriated to Norfolk, and he was informed that he might proceed upon the principle of that sum being added. Your attention to this important object is acknowledged by all to have greatly facilitated and accelerated its progress.

I have also the honor to acknowledge the receipt of yours of the 31 of May and the 2nd instant, enclosing sundry papers relatively to the British Ship Charles and the British schooner delight, alledged to have been captured within the limits of our protection. The prompt zeal which your Excellency manifested on this occasion, is highly acceptable to the President of the United States.

The British Minister has made a memorial on this occasion, to which your Excellency's conduct will afford the grounds of satisfactory reply. The Governor of Maryland has been written to on this occasion.

A further sum of money shall be forwarded for the mounting of the cannon.

Permit me, in confidence, to request your information as to the practicability of building at Norfolk one of the largest frigates, so as to have it completed for the Sea by the first of May next; the price at which Journeymen Ship Carpenters and Blacksmiths will work per diem. The security of the place in case of a war. If any doubt should remain as to this point it ought to be removed, for from a general view of the naval stations which will be proper on our Sea Coast, the situation and circumstances of the Chesapeake, that place must be one of the most important.

I shall also be particularly obliged by a confidential opinion of the merits of Mr. Rivardi as an Engineer, and, as far as you have opportunity, of his talents as an artillerist.

Mr. Vermonet is employed upon the fortifications at Alexandria, which will be upon a small scale, upon Jones' point, below the Town. Captain Hannah had marched his recruits before he received my orders. But I shall order Captain Richard Scott Blackburn, who is appointed a Captain of Artillery, upon your Brother's recommendation, and others to recruit for the artillery and send his recruits to Norfolk.

I have, &c.

JOHN STUART TO THE GOVERNOR. 1794.

In obedience to your instructions of the 19th April, which lately came to hand, I have appointed six scouts on the Frontier of this county on the different quarters as you directed. They are such men as I trust will give satisfaction, and render a good account of their service. June 9th

From a late excursion I have made into the woods, I find the Frontiers of this county much more exposed to danger than I ever knew before. It has been generally suggested the settlements in Kanawha has sufficiently secured our Inhabitants, but this is by no means the case. As to those in this county, settled on the Kanawha, they are in every degree exposed as much as the Inhabitants of Kanawha county. I found amongst the former a widow woman, whose case I truly pity. Her husband is recently dead, and she lives at the very entrance of a war trail (formerly much used by the enemy), with a small family.

Tho' we have had no attacks this season, if the war continues the ensuing year, I hope we shall be allowed a command of men for the safety of that quarter so much exposed.

I am, &c.,

FRANCIS CORBIN TO THE HONORABLE JAMES WOOD. June 10th

Soliciting a commission as Colonel in the militia ordered to be raised by act of Congress.

THOMAS NEWTON, JUNIOR, TO THE GOVERNOR. June 10th

But little done at the forts yesterday, and to-day the same. To-morrow I expect a large party and have hopes of soon compleating Fort Norfolk. I shall be down with them. Norfolk

A vessel arrived from Barbados yesterday, who brings an acc't of all the American vessels at Martinique being condemned, because they (the owners) were bad men and Enemies to Great Brittain. This is what I have heard. I have letters but no news in them; 4,000 more Troops had arrived there, and the Cork and London fleets, I think they will be moving to the continent in the hurricane months, if they should succeed at St. Domingo, where some of the troops were destined.

I have heard nothing of the guns yet, either from Elk or the College landing.

I am, &c.

1778 that the enlarge continues it would have all the best effects

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June 10th At a Court of Oyer & Terminer held for King William County the 10th day of June 1778 for the trial of Two Negro men slaves, to-wit: Lewis the property of William Gouldman and Armistead the property of Thomas Black for Burglary.

Present.

John Roane,	Robert Pollard,	
Jack Mitchum,	William Gregory,	Gentlemen. Just's.
Isaac Quarles,	and	
Benjamin Temple,	Edw'd P. Chamberlayne.	

On consideration of the evidence adduced against Lewis, the Court declares him guilty of the offence charged, and orders that he be hung on the 16th day of July next.

On consideration of the evidence adduced against Armistead, the Court declares him guilty, and orders that he be hung on the 16th day of July next.

Petition for the pardon of Lewis & Armistead, condemned to be hung by the Dist Court for King William:

John Roane,	Jack Mitchell,
Isaac Quarles,	Thomas Quarles,
Benj'n Temple,	John Houchings,
Robert Pollard,	Carter Braxton, Jr.,
Wm. Gregory,	William Ellett.
Edw'd P. Chamberlayne,	

June 11th ARCH'D WOOD TO LIEUTENANT-GOVERNOR WOOD.

Ohio county I rec'd your Excellency's Two Letters by Capt. McCullock, and by once sending to Winchester after the Captain's return, rec'd the amount of Two Bills drawn on Mr Smith. Alexandria B. Bills pass here, altho' the Inhabitants do not receive them as freely as hard Cash; for my own part, have no manner of doubt in receiving them.

The Indians has not given us much trouble this season as yet. The Inhabitants keep as close Quarters as possible, or as their situation will allow.

It appears from the latest information that our Indian affairs go on pritty well to the westward. We are tolerably well surrounded now by Garrisons. The distance lett vacant by General Wayne, which he did not garrison, the British has occupied before him, so that the British

make up the Line at Varennes where Wayne now lies, which unless he is completely surrounded, and without a strong reinforcement I dare say Gen'l Wayne cannot advance much further. What Steps the Early movements of our Enemy Government will produce with respect to this business time only will determine.

I have, &c.

E. Langham to the Governor June 11th

I send my acc't for provisions furnished up to the 1st inst. You will oblige by ordering payment for the amount thereof. You was (from Wood) kind enough to send me word by Mr. McLaughlan that if I would send my account at the close of last month it should be paid.

The moneys rec'd for provisions up to the 1st of May enabled me to discharge the debts I had contracted for that Article, yet having money on hand puts it in my power to lay in rations on much better terms. If you or the Hon'ble Board, as the case may require, would pay the present month in advance (which will be about the same amount of the Acc't. now sent) it would serve me exactly, because I expect I must go beyond the limits of my county for beef; I then could venture to say I should not again be troublesome to you to the end of my present Contract, and it would only be an advance by the public for about 18 days.

I have, &c.

P. S.—I expect the present Am't will be charged in Acc't to the Super't at Point of Fork. Of course, if an advance is made for the present month, the whole will be charged in the same manner.

H. L.

Sir:

If the Hon'ble Board deem it advisable to comply with Major Langham's request for an advance of the supposed am't of the present month's issue, it will meet with my approbation to be charged with the same and to account accordingly.

I am, with respect,

June 11th. 1781.

Board of Auditors Order that Commissary Cannon be furnished with [illegible] securities.

1794. THOMAS NEWTON, JR., TO THE GOVERNOR.

June 11th Norfolk

I wrote you yesterday respecting an account of six ships being on our coast, since which nothing further has transpired, and we are at a loss to know what to believe, as some say they are men of war and supposed British, others believe that they are only merch't vessels, and some think there is no ships. Should anything happen that I can with certainty inform you, I shall do it immediately.

The concord sails this day and several other vessels.

I am, &c.

June 12th. The report of the ships appears to be entirely false. The wind prevented the Concord sailing but is ready. I have been so indisposed as to be unable to attend at the fort, but yesterday a large body of men worked and I have made great progress.

June 12th

JOSEPH BIGGS TO MOSES CHAPLINE.

West Liberty

I have enclosed to you a list of charges against Captain John McCollock for misconduct on a Scout which he commanded from Wheeling creek, beyond Muskingom River, in the Indian Country, in November, 1793, which said charges I wish you to report as soon as possible to the Executive of this State that he may be thereupon arrested and brought to trial.

June 12th

A copy.

Ohio county

CHARLES WELLS TO THE GOVERNOR.

I am duly favored with an enclosed copy of your letter of the 9th of April, (the original never having come to hand), the contents of which amount to a complaint being made to your Excellency by some person concerning the supply not being furnished in the different parts of the Monongahalia district.

As well as the general expression of the board, it was, I believe, generally understood that the Volunteer Militia was to be posted on the river, except a few at one station on the frontier of Harrison.

Agreeable to this Idea, I made such arrangements for furnishing as the nature of the case required, and I flatter myself have done to the satisfaction of the officers commanding at the different posts. Admitting your Excellency's sense of the contract it is not in my power to furnish posts that is unknown. Every post yet known is supplied, which I hope will suffice for my conduct so far.

I have, &c.

JOHN MCCOLLOCK TO THE GOVERNOR. 1794.

This comes to let your Excellency know that we have not had any mischief done by the Indians on the frontears of our county this Spring, but they have killed four and took three of a family at the little Canaway early in May, and killed one man at Marata the last of May. They have killed four and wounded three men on Alleghany river, a few miles above Pittsburg. I have to inform you that I only arrived home from the woods on Tuesday last from of a scout of twenty days. In the rought we sawe a good deale of Indian sign, but none that appeared to be fresher than about three weeks before us. We ware as we soposed as far as about one hundred and fifty miles from Wheeling. From your letter by Mr. Boggs I expected our last year's pay before this time. But as it has not yet came, I must urge the necessity of its being sent as its badly wanting. And ammonition we have none, as all I rec'd this Spring was three Casks of powder, and forty-eight pounds of lead, whitch I rece'd from Capt. Lowther with orders to Divide it among the Stations, whitch I did agreeabel to orders. June 12th Wheeling

And should the Indians Invade us, we should not hardly be able to follow them for want of ammunition, as it is a scarce article in this Country. I have expected that Capt. Lowther to have visited the stations this spring, but have not had the pleasure of seeing him this Spring.

I have no more at present, but have the honour to subscribe myself,

Your, &c.

BENJAMIN WILSON TO THE GOVERNOR. June 13th

Recommends William Martin as Paymaster to the troops in the Western District. Caution against the dangers of the road to any Paymaster appointed having money in charge. Harrison county

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Harrison County, June 9th, 1794. June 13th

Inclosed is a Justice Commission and a Recommendation for Malitia officers. Please to have Elijah Inserted in the Room of William in the Inclosed Commission. Elijah was the name entered on the minutes of the Court, and the proper name of the Gentleman Desired to be commissioned.

About the first of March last, I attempted to send to you a copy of this Inclosed Recommendation for Sheriff. If it reached your hand your answer thereto has not yet returned to me. I make no doubt but Mr. Benj'n Robinson can find good security.

1794. June 13th

A copy of this Recommendation for Malitia officers was forwarded to you last fall. You sent in answer that several of the back counties was simerlarly circumstanced, & that you would present our case to the Insuing Assembly. Some of our Delegates Informs me you are now enabled by Law to Issue Commissions. Should it be the case, please to send by Mr. William Martan the Justices', Sheriffs', & Malitia officers' Commissions; also send by the Bearer at Least one copy of the suspended acts of the assembly of the year 1792, and one copy of the year 1793. Your compliance will oblige,

Sir, your, &c.

June 13th

Benjamin Biggs to the Governor.

Ohio county

By Mr. John Williamson, I with pleasure Imbrace the opportunity of giving your Excellency a sketch of the present appearance on our frontiers. About the first Day of May four persons were killed near the mouth of Little Kanawha, since which time one man at Muskingdom, and two men between Muskingdom and fishing creek, supposed from a Kentucky Boat, as they were not known when found scalped. Two Brothers of Capt. Morris was killed opposite Bellville, and on the thirty-eth of s'd month one man killed and two wounded.

On the Alleganey, the same evening, a Kentucky Boat Going Down the Kiskaminates was attacked about seven miles from the mouth and four men killed, and Report say that two men are killed three miles above Pittsburg, on the Mohongahale. It is also said General Wilkins had his horse stolen out of a pasture opposite Pittsburg. These Continued Depredations Lay us under apprehensions of more visits from those savage enimys.

I cannot but regret the scarcity of ammunition which Prevails at this time, as there is none of the publick ammunition yet come forward to this county, except those kegs to Capt. McCollock (and that of the worse kind), Brought down from Morgan Town by Lt. Evans.

Many applications have been made to me by the scouts & Rangers concerning their last year's pay. I am sensible numbers (if not all) of them are much in want of, and could it be in your power to forward the money by Mr. John Williamson to some person that your Excellency may think proper, it would quiet the murmer of the last year Scouts, and increase the confidence of the present, who seem to be in some doubt concerning their pay.

From your Excellency's to Mr. Chas. Wells of the 10th of April, it appears that Captain Louther has complained of his Detachment not being supplied with Rations, in consequence of which I will mention to your excellency my knowledge of the Business.

After my return from Richmond, I wrote to Captain Louther and stated as my opinion that it would be necessary for him to attend at

West Liberty on or before the 15th of March (the day that the Troops of this county was to be mustered) in order to arrange the posts and fix upon the places necessary to issue the provisions, but received no answer from him, and I am well convinced he has not visited any post on the River as yet. 1794. June 13th

I am, &c.,

N. B.—Please to send me Mr. Sutherland's Note, as he refuses to pay me the money which I paid you on his account.

And oblige, sir,

R. R.

CHARLES WELLS TO THE GOVERNOR. June 13th

I am honored with your Letter of the 18th of April, by Mr. Boggs, wherein your Excellency conceives that I complain of Injury in furnishing provisions at the posts on the River. Ohio county

Your Excellency will please to observe that I did not mean the complaint to extend to posts on the River only, the number on the River being Increased since the time of Messrs. Wood's furnishing, and the Rations demanded at each post. I only wished the privilege of furnishing at the posts mentioned in my letter of the 7th of January.

Captain Lowther's information to your Excellency respecting my construction of the contract must be very singular, as I have neither seen nor heard from Captain Lowther since I undertook the contract, nor do I recollect of mentioning my opinion to any Gentleman on the subject.

In March last, General Biggs mentioned to me that he had wrote to Captain Lowther to meet him at West Liberty to arrange the stations before or at the time the troops were to be mustered in Ohio; on which account I attended to get instructions as to the supply, but was disappointed, and as I have not heard from Captain Lowther, or where his detachment is posted, I have drawn the conclusion that he has appointed a contractor to supply the posts under his Immediate inspection, which perhaps was the object he founded his complaint on. If so, I wish him to continue his contractor, as the furnishing of his post or posts is not an object with me, and I shall account with him or any other person for Quantity of rations furnished under my contract as soon as the money comes to hand.

I shall use every exertion to furnish the Known ports that no inconvenience may result to the troops, and hope to be able to account at any time to your Excellency for my conduct in the Business. The five hundred dollars, as mentioned in your Excellency's Letter, would have been a sensible relief to me, as the salt provision is exhausted, but was surprised to find that the treasurer had authorized me to collect it in Arrearages of Taxes of any Sheriff that thought proper to pay monies

1779. June 10th. ... my mind ... concerning ... the ... Precinct Court of ... County, ... refused to pay ... money without ... order ... to ... and ... mentioned ... the ... of ... the ... for the year 1779, which was not yet ...

... will be delivered to Mr. John Williamson, with whom ... the Draught ... that your Excellency will order the Treasurer to pay ... more ... possible, as my necessity is urgent at present, and the remittance thereof will enable me ... or with my convoy.

... a proper ... to be raised in this district, I would suggest the propriety of appointing a Ohio ... troops being generally on the River ... I before mentioned my opinion to some of the executive that Joseph Biggs would be a proper person being generally esteemed by the people and ... any business that might interfere with the ... Militia ...

The Indians continue depredations on our frontiers. Capt. McCulloch ... returned from ... without falling in with any of the enemy

I have &c.

June 10th. Norfolk.

WM. LINDSAY TO THE GOVERNOR.

Before you left this place Capt. Cooper of the Ship Isaac had promised to land from on board said ship six of her Guns. An Officer was sent down to examine whether it was done. He had taken them out, put them on board a pilot Boat, and sent them up to Norfolk. The Boat returned the same night, and the Guns were again taken on board the Ship. Immediately on hearing this I informed Colo. Newton and the Lieutenant Colonel was sent down to detain her, but she had sailed a few hours before Capt. Taylor got down.

I am, &c.

June 11th. Norfolk.

THOS. NEWTON, JR., TO CAPT. JNO. COOPER.

I have this moment recd information from Major Lindsay that you had taken the Guns on board your vessel again which you had promised the Governor to land. It becomes my duty to inform you that you do not depart until the decision of the President is had, unless you comply with the promise you have made to Gov. Lee.

I am, &c.

[illegible]

[illegible] morning received information from Major Lindsay that the night [illegible] John Cooper of the Borough militia, who, with Cornwell, had again taken the [illegible] with intention, we believe, to [illegible]. The accused letter will inform you that [illegible] as a [illegible] to Mr. Lindsay & the Borough. We have [illegible] them. Having no armed force here fitting for the purpose, who is willing to take any venue by water, we considered the sending of them by land unavoiding an departure from the law usual in proceedings of this kind. We therefore put Capt. E. Taylor in Cutter to go down & bring the accused safe.

I am, &c.

June 13th, 1814

Sir:

Capt. Taylor returned this morning but could not come up with Mr. Cooper, he having got a sea with the [illegible]. He has however with several citizens with him & his instructions [illegible].

Major Cramer will not want Mr's Guard. The [illegible] but forty constant hands are procured from the Borough & [illegible] to-morrow. Your presence will do much in expediting the works. Capt. Hannah is here. he brought only four men, & has enlisted 4 more, & I think will recruit fast. He has neither drum or fife to spirit the business.

June 14th, 1814

Major Lindsay.

Sir:

Your letter of this day I received, and am ready to aid you with the militia of the Borough as far as in my power lies. Shall be glad, if convenient, you'd come up to my office & consult the manner they can be of service. From my instructions, I think Colo. Wilson should have information thereof, which I will show you.

I am, &c.,

THOS. NEWTON

The Cutter, by putting 4 three or four pounders on board, would render great service on these occasions, & men could occasionally be supplied from the militia when necessary, and no expense attend it. In her present situation, Capt. Taylor has it not in his power to render such service as may be required against an armed vessel.

1794. THOMAS SMITH, JR., TO THE GOVERNOR.

June 14th Mathews

Some time since, Mr. Thomas Tabb, the then high Sheriff of this county, announced to our Court his Determination not to give bond and security for the collection of the Revenue Tax due for the year 1792. Of course that tax remains to be collected. Agreeable to the Dictates of the Law in such cases, our Court did order his refusal to be certified to your Hon'ble Board, in order that steps might be taken to appoint a Collector of that Tax. As no such appointment has been made, and it remains yet doubtful who can with propriety undertake the business, as no Bond has been given to secure the public against Imposition, it may not be improper to remind the Executive of the circumstance, as well as to inform them that it might facilitate the earliest procurement of that Tax should they be disposed to appoint the present Sheriff, Mr. Rich'd Billups, for the purpose of collecting it; who, after complying with the prerequisites of the Law, may proceed to collect the same with the Tax due for the last year.

I am, &c.

June 15th

J. J. W. RIVARDI TO THE GOVERNOR.

Norfolk

According to your request and to my promise, I have the honor to write you an account of my proceedings in the business, which your Excellency seems to have so much at heart. Since your departure, we hardly had any assistance, one day excepted, and then indeed we had rather an over affluence. It would be more serviceable if a general account was taken of the men disposed to give us their labour, and divide their number in such manner as would afford us a constant party of Volunteers, be it ever so small. I wrote to Colonel Wilson a few days ago, requesting a fresh supply of workmen. His answer was very polite. He promised me to use his endeavors, but expressed at the same time some fears not to succeed, for the people of Portsmouth (as he observes) are much dissatisfied that the whole contribution of the two towns and county, with the appropriation of Congress, were not applied to the completion of Fort Nelson. Moreover there are several of our acquaintances, who by very ignorant and ill natured remarks, hurt greatly the progress of our works by stifling the good intentions of a great number of Citizens. There hobby-horse is the difficulty of manning so many different places. In fact, I stop my ears and proceed as fast as circumstances will allow. Most of the ground before the batteries A. B. C. D. is removed, the fascines are going on briskly, and the day after to-morrow I shall survey Crany Island, and shortly after have the honor to submit the plan of its defences to your inspection.

I took Mr. Courty with me to-day, in order to survey several places

necessary for the general map of Elizabeth river, which will give a perfect idea of its defences both by sea and by land. 1794. June 15th

The brick work and all the traverses which were begun are compleat, and the whole of my attention will be next week directed towards the fitting of the batteries. I hope for some assistance on Monday. Col. Newton gives himself a great deal of trouble about it. Wish to God there were ten men like him in Norfolk. The plans here inclosed were ready several days ago, as your Excellency will see by the letter accompanying them. Capt. Lee forgot to take them. Any explanation would be fruitless, as you undoubtedly know them all by heart.

I received no letters yet of the Secretary of war since your departure, and expect some by this post.

I hope your Excellency will favor me with a few lines whenever you will think any alteration in the measures hitherto taken necessary.

Mrs. Rivardi presents her respectful compliments to Mrs. Lee, and I respectfully and with great esteem remain,

Your, &c.

JOHN HAMILTON TO THE GOVERNOR. June 15th

It gives me pain to inform your Excellency of the Departure of the ship Chickamaga with all her Guns and Men, contrary to the remonstrance which I sent you previous to her sailing; contrary to the Rules of neutrality, and contrary to the rules laid down by the President respecting the equipment of armed vessels to be observed here. I am the more distressed at this circumstance, as it may, from some late transactions on the continent, give room to doubt the sincerity of the neutrality held up by the United States, which, in the present stage of affairs, should be avoided as much as possible by both countries, and I still hope, from the great abilities and Prudence of the Executive Bodys at the Head of the Government of Great Britain and the United States, that Peace and Harmony will prevail between the two nations, in spite of the artifice made use of by some designing men in each country. Norfolk

The Concorde, with her convoy, sailed yesterday from Hampton Roads.

With the most perfect Esteem and Respect, I have, &c.

JOHN HAYMOND TO THE GOVERNOR. June 17th

Recommends William Martin as Paymaster for the Scouts and Ranges of the Monongalia District. Informing of the murder and capture of Mrs. Armstrong on the Ohio in April last. Clarksburg

1794. WM. LOWTHER TO JAS. WOOD, LIEUTENANT-GOVERNOR.

June 17th Harrison — Mr. William Martan will apply to you for a Muster Roll for six scouts you mustered on the 14th May, 1793, at Clarksburg.

Please Lend Mr. Martan every assistance in your power to effect the Business.

Sir, your complyance will greatly oblige yours, &c.

June 17th WM. LOWTHER TO GEN'L JAS. WOOD.

Harrison county — As touching the Present State of the frontier, my Letter to the Governor will Inform.

Your Friendly attention to my Business not doubted. Mr. Martan, who is the Bearer of these lines, is empowered to act for me before the Council in the settlement of Business put into his hands. He will acquaint you therewith.

I have made out the amount of my demand in a separate list. You will please to correct it if needed, and should the Executive incline to consider my service to exceed what is allowed to a Captain commanding a single company, from what passed between us, I am sure your friendly aid will be given.

As the Bearer is waiting and very Impatient, Please excuse short writing,

And believe me to be, &c.

June 17th JOHN VERMONNET TO THE GOVERNOR.

Alexandria — Having had the Honour of being appointed by the Department of War to fortify Annapolis and Alexandria, I have taken the liberty of writing to your Excellency to acquaint you that the fund allowed to fortify Alexandria being small, I have chosen Jones' Point for the seat of a good battery, which will protect the place against the enemy by water, and for which I shall do myself the honor of sending you a draft on my return from Annapolis, where I am going; during which time the materials will be collecting as well as making a cross way through a marsh to enable the land carriage for earth, &c., &c.

I have, &c.

June 17th WM. JAMES MAYO TO THE GOVERNOR.

Patrick county — Asking justice to be done him in conferring on him the Commission of Ensign, to which he thinks himself entitled, though denied by the Court.

Amherst Courthouse, June 17th, 1794. 1794.

We, the officers of the Twenty-Eighth Regiment of Amherst Militia, Do recommend Mr. William Wedderburn to the Executive of this State as a proper person to fill the Office of Captain to the Artillery Company under the command of General: June 17th

John Guerrant.	Charles Jones.
Wm. Warwick.	Wm. Teas.
Joseph Shelton.	James Anderson.
Pleasant Dawson.	Edward Carter.
Will Loving.	Alex'r McAlexander.
Tilman Walton.	

Commission of James Cureton as Captain of Artillery annexed to the Eighth Brigade. June 17th

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JOHN EVANS, SR., TO THE GOVERNOR. June 18th

Recommends Wm. Martin as a paymaster for scouts and rangers.

M. ARMSTRONG TO JOHN PENDLETON, ESQ. June 18th

In consequence of a judgment obtained in the General Court by the Commissioners of the road from the State road to the mouth of little Kanawha, against Warman, late Sheriff of Monongalia, Fi. Fa. issued returnable to last November Term, which was levied by a Deputy Sheriff upon five negroes, and although the Commissioners officially requested him to give public notice of the day of sale in Marion, where they reside, yet he only advertised in the neighborhood, and sold them for £11 odd shillings, as will appear by his return. A second execution issued returnable to last court. In the interim it appears that Col. William McCleery and Warman went to the house of Jenkins, who purchased said Negroes only to receive a small sum for which he was bound as security for Warman, and McCleery paid Jenkins the money and demanded the Negroes as his property. He refused, but actually delivered them to Warman as his property, and they remained, or a greater part of them, with Warman. I advised the Sheriff to seize them by the last execution which he did. McCleery advises a Jury to be summoned, and notwithstanding, Jenkins, who was honest in the matter, swore as above stated; the jury determined in favor of McCleery, and the Sheriff gave them up to him, and only two on whom there was no lien were sold, and Clarksburg

1794. June 19th

no other property. I am specially directed by the commissioners to give you this information as their attorney, as you appear by the law of 92 to be the proper officer to notify the Executive of such fraudulent proceedings. Although, perhaps the last law appointing agents may have made a material alteration which we have not yet seen. Mr. Martin, the Bearer, will pay you £89. 3. 8. in certificates, the nett proceeds of the sales under both executions.

I am, Sir, &c.

Acts of '92, Chap. 16, Sect. 22, directs that cases like this shall be laid before the Executive.

Mr. Thomas Vaughan, a deputy Sheriff of Mecklenburg, has for many years collected the public taxes in the said County; in that business his precission and punctuality is unparalled; he has requested me to mention him to the Honorable Board on a Supposition that Mr. Goodwyn, agent, intends to resign.

J. PENDLETON,
18th June, 1794.

June 19th

PHIL. R. FENDALL TO THE GOVERNOR.

Alexandria

I have before me your favor of the 16th of June, and now enclose you a post note for 78 84–100 dollars at ten days, being the amount of the cut silver and price of German Gold received in March. As we neglected to forward it at an earlier day, the note is made at 10 instead of 60 days' date.

I have, &c.

June 19th

MOSES MANN TO THE GOVERNOR.

Point Pleasant

Refuses to obey the orders of Capt. Clendenin, and threatens to resign if such orders are consistent with the orders of the Executive.

Kanawha, June 3d, 1794.

Sir:

It is with extreme distress of mind that I find myself compelled to repeat my former orders to you in ordering you to the post by me assigned to you at Belleville. Whether you stay at the mouth of Kanawha, and James Vanbibber's removal to Bellville contrary to my order, was a matter of accommodation between you and him, I am not at present able to judge. But if I am to be answerable for the conse-

quences of your conduct, I feel myself disposed to find that you conduct yourselves in conformity to my orders. If you, sir, had any instructions giving your command over the volunteer militia allowed for Kanawha, Greenbrier, and Bath, it would have been a very easy matter for you to have made them known to me, when I so very particularly requested you to do it as you went on with your men to that point. Sorry I am indeed at the unhappy fate and loss of your two brothers, not without reason to think that had you been present, this carnage might have been prevented. I indeed sincerely lament the loss of those useful men. True it is, that I did not expect nor desire you to devote the whole of your time at Bellville, but expected as James Vanbibber was by me particularly ordered to do his duty at the point, I at least expected that the greatest part of your time would be spent at Bellville, as it would be very unnecessary for you both to be at the point. 1794. June 19th

I find, Sir, that in carrying on the Ranging Business that I have defeated the intentions of sundry parties of Indians that have visited our Settlement—not that I had the Fortune to fall in with them, but the Sign or Traces by my Company made has served to alarm them. Therefore, I hope that this part of duty will not be neglected, either on the part of you or Mr. Vanbibber.

Sir, it is not possible for me to take leave of you until I express my sorrow in thinking that there is not that harmony amongst us that ought to exist. Indeed, I find very little Gratification in commanding when I find a Tardy disposition to obey. However, having been informed that you have said that you have separate Orders from mine, I shall make use of the first opportunity to enquire of the Executive why they have not communicated them to me. In the meantime, shall continue to repeat my Instructions to you until I am otherwise Officially directed.

I wish your health success, and am, &c.,

Your Ob't Serv't,

WM. CLENDENIN, C. Volt.

Kanawha, April 9, 1794.

Sir:

In consequence of the two new settlements that are about to take place, to-wit: Captain Cooper's and Robinson, I presume it will not be possible to spare more than a Sergeant, Corporal and twelve privates for to Guard Bellville. You will, therefore, with all imaginable dispatch, have them forwarded to that place. These will be Exclusive of the two scouts, which, I suppose have, previous to this, been appointed by Colonel Thomas Lewis.

I am, &c.,

WM. CLENDENIN, C. V. M.

Lieutenant Moses Mann.

1794. THOS. LEWIS TO THE GOVERNOR.

June 19th Point Pleasant

As Lieutenant Mann has in part informed your Excellency of his dispute with Captain Clendenin. Give me leave to add that rather than Lieutenant Mann shall be obliged to obey any of his orders, he will quit the service, and every man he brought on will immediately return home after his resignation.

Lieutenant Mann as an officer has always conducted himself Extremely well, and has strictly adhered to the instructions given him by Colonel Steel. He has advised and consulted with me on all occasions. I was always willing to give him every information in my power. until Captain Clendenin interfered with his command, who says he is appointed to the command of the Volunteer Militia in Bath, Greenbrier and Kanawha. On the 17th of May. Lieutenant Mann had two Brothers killed by the Indians in sight of Bellville Station. They committed no depredations on our Frontier since that time.

I have. &c.

June 20th WM. FREDERICK, AST., TO THE GOVERNOR.

Richmond

Endeavouring to enlist the interest of the Governor in a scheme for Marine Insurance.

June 20th J. INNES, ATTORNEY-GENERAL, TO THE GOVERNOR.

Richmond

Inclosed I send the mortgages upon Holt Richeson's Estate. a former Sheriff of the county of King William. which have been submitted to me for advice by Mr. Temple.

The verdicts of the juries form no impediment to an Investigation of the validity of these Instruments in a court of chancery. which I would recommend to be resorted to in these and all similar instances. If the mortgages shall appear to have been made from collusive motives. they will be decreed invalid. and the Judgments of the Commonwealth will take their course upon any property thus fraudulently covered: and if on the other hand. they shall be found to have been entered into on bona fide conditions. then the court will decree an immediate sale of the mortgaged effects. the first product thereof to be applied to discharge the debt of the fair mortgagee. and the balance. if any. subjected to the public executions. In most of the cases of this Kind. altho' the mortgages may have been founded on fair considerations. yet I believe it will very frequently be discovered that the considerations are greatly disproportionate to the value of the property pledged. This barrier to public Justice

would be completely removed in all such instances by empowering the agents to purchase the property for the Commonwealth, sell it out again, pay the mortgagees their just demands, reserving the balance to satisfy the public claims. If under such circumstances, the agents could be authorized to give a short credit, taking the bonds for the property thus sold in the name of the Governor for the time being, so that they might be amenable to the motions of the auditor, I am satisfied great public benefit would result from the adoption of such a measure. I await the orders of the Executive as to the official part they may direct me to take in the present cases and all future ones of a similar nature. 1794. June 20th

With great respect, I have, &c.

SIMON MORGAN TO THE GENERALS OF DIVISION. June 20th

Inclosed herewith you will receive the General Orders of the Commander-in-chief of the Militia, which will govern you in preparing the proportion due from Divisions required to form the Detachment ordered: Richmond

Division No. 1, is to furnish 2,816 men, including officers.
Division No. 2, is to furnish 2,478 men, including officers.
Division No. 3, is to furnish 3,041 men, including officers.
Division No. 4, is to furnish 3,042 men, including officers.

You will be pleased to make Known to your respective Brigadiers the quota due from Brigades, who will make a fair apportionment in the Regiments composing their Brigades.

Returns from them to you of their progress in completing their respective quotas must be monthly demanded, as I must receive from you monthly your Division Return, counting the receipt of this letter as the beginning of the month.

I have, &c.

N. B.—Your Returns or any other business with me respecting the Militia will be directed to me in Fauquier county, or Mr. Samuel Coleman in Richmond.

S. M.

The foreging are instructions of the Adjutant-General to Division Generals for appointing the quota due from the Brigades of their respective Divisions.

PETITION TO THE GOVERNOR IN COUNCIL. June 20th

For the pardon of Paul, one of the parties condemned to death in the Court of Powhatan for participating in the murder of Wm. Bradley, the overseer of Colonel Wm. Mayo, on the ground that his conviction was

1794. June 20th obtained on the testimony of a negro boy 13 years old, of seeing Paul with the others go into the house, and from a confession made to Mr. John Toney when he apprehended Paul, that he was guilty, this confession having been made on the advice of some one that he would thereby be allowed to turn state's evidence against the others, and thereby save himself, this confession subsequently believed to be false.

The following are some of the names of parties who having learned of a petition for pardon of negro Paul, condemned for participation in the murder of Wm. Bradley, of Powhatan, are signed to a remonstrance against said pardon and sent to the Governor:

John Nunnally,	John Netherland, Jr.,
John Ligon,	Francis Lewis,
Chas. Powell,	Frederick Woodson,
James Taylor,	Bartlett Sizer,
Jos. Mosby,	William Moseby,
Thos. Gordon,	Seth Ligon,
William Mayo,	John Carter,
Benj'n Woodson,	Samuel Steger,
Hickman Spiller,	Alex'r Dugan.

June 20th

WM. MAYO TO COLO. JOHN STEEL.

Liberty Hall Remonstrance against the pardon of Paul, convicted in the Court of Powhatan of participating in the murder of Wm. Bradley, and enclosing a certificate of Mrs. Toyce Railey to having heard Paul confess that he was present at the murder.

June 20th At a Court of Oyer & Terminer, held in Powhatan County, at the courthouse in Scottsville, on Friday, the 23rd day of May, 1794, for the trial of Joe, a male slave, the property of William Mayo, & Moses, a male slave, the property of Robert Mitchell:

Present in Court: L. Mosby, Vincent Markham, Rich'd Crump, Will Mosely, L. Mosby, Jr., Edmund Logwood, Geo. Williamson, and William Bentley, Gentlemen Justices.

The Court being given to understand and be informed that the abovenamed slaves did, on the night of the 7th of May, conspire and murder Wm. Bradley, of Powhatan, whereupon they were arraigned therefor.

Joe confessed himself guilty; Moses said he was not guilty. Divers witnesses being examined, and Moses heard in his own defence, it was

the opinion of the court that Moses was not guilty. In the case of Joe, it was the opinion of the court that he was guilty, and that he should be executed on the 24th day of June next. 1794. June 20th

The court valued him, said Joe, at £125.

ALEXANDER CAMPBELL, ATTORNEY-GENERAL OF THE UNITED STATES, TO THE GOVERNOR. June 22d

I have read the representations of the British consul at Norfolk respecting the violences said to have been committed by some citizens of this State upon the Briga. Ann, at York Town; and tho' the Consul appears to consider them to be of such enormity and extent as to involve the neutrality of our Government, yet I cannot discern in them anything more than the features of a common Trespass, committed by a riotous assembly of men upon the property of a Foreigner. The reversal of the flag belonging to the vessel was unquestionably a breech of good manners; but an indecorum of that kind can no more be considered as imputable to the American Government, or as an affront to the sovereignty of England, than any ordinary differences which might occur between the citizens of this country and the subjects of that in the Territory of either. The vessel is the property of an Individual, and if any injury has been done to it, the owner has as ample remedy against the persons who did the injury as any citizen could claim in a like situation; and more than this, I presume, he cannot fairly ask. But if he should desire further satisfaction, it seems to me that the courts of the State are alone competent to afford it. The Peace of the State, and of the State only, has been violated. It therefore belongs to the State to punish the violation; and I know of nothing, either in the Constitution or Laws of the United States, which requires or would justify the interposition of their judicial power in such a case. But whether there be or not, as the Tribunals are competent to the full punishment of all infractions of the public peace and order committed within the limits of their jurisdiction, I consider this as a sufficient reason why, on the present as on every like occasion, I ought to decline any interference on the part of the United States. Richmond

I have, &c.

RICHARD GAINES TO THE GOVERNOR. June 22d

Complains of the recommendation of John Hackley as major of the regiment, to which complainant's company belonged, also to the recommendation of Samuel Henning as captain of said company.

1794. RO. BEDFORD TO THE GOVERNOR.

June 22d Charlotte

Enclosed you will receive a warrant of Hugh & Cry against the persons who have clandestinely taken from Peggy Howell two of her children. The said Woman is a free Mulatto of this County, and is in very Indigent circumstances.

The crime is of that nature that I need not suggest to you that it requires the public notice. It is requested that you will publish, by way of proclamation, in the Virginia Gazette, a true state of the case, as also in the different States within the Union, particularly the Southern States; or take whatever other measures to regain the children which you in your wisdom may judge most proper, as it is undoubtedly a case wherein the whole community are in some measure interested.

I am, &c.

June 23d JAMES MCCRAW TO THE GOVERNOR.

Halifax

Desiring to be informed whether Jas. Dejarnette, a Justice of the Peace, who removed to Essex and was absent several years, could on return to the county again perform the duties of Justice under his old commission.

June 23d SAM. COLEMAN TO THE LIEUTENANT-GOVERNOR.

During the continuance of the contagious fever with which Philadelphia was so afflicted in the course of the last fall, the County Court of Loudoun was directed to pursue such steps as prudence might dictate for preventing the introduction of that pestilential disease into this Commonwealth.

The enclosed papers state the expence incurred in pursuance of the measures adopted, and are submitted to the Executive for their direction thereon.

I have, &c.

[Papers not found.]

June 23d ROBERT PAGE TO THE GOVERNOR.

Frederick

Mr. Thomas Taylor Page will deliver you a Letter from the Escheator of this county authenticating a claim which I have against your Excellency acting under the Resolution of the last Assembly respecting Escheators, &c., for the sum of fifty Guineas, which you will be pleased to

pay to said Mr. Thomas P. Hope, who is hereby authorized to receive the same. June 28th

I have, &c.

JOHN HAMILTON TO THE GOVERNOR. June 28th

Norfolk. When your Excellency set Down you promised to direct the General Attorney-General for the United States to present to take the Depositions of the witnesses who were present at the Search and Seizure of the British ship Chaires and schooner Delight.

As the owners of the ship have libelled her in the Admiralty Court at Baltimore, it will be necessary that the Depositions of such persons as were present should be immediately taken. I have to request your Excellency will give such directions as you may conceive requisite, and at as early a Period as may be convenient, that the same may be completed and forwarded to Baltimore.

I have, &c.

J. MADISON TO THE GOVERNOR. June 28th

Williamsburg. Order of the Directors of Hospital at Williamsburg on the Governor for sixteen pounds and six shillings and expence, payable to James Parson, Sheriff of Hampshire, for expence of bringing William Moses a Lunatic, from Hampshire, to the Hospital.

June 28th John Smith prays for remission of fine for non-attendance as a Grand Juror at the March term of the Court at Russell Courthouse, his excuse being the exposed condition of his family in his absence to the cruelty of the Indians, to which he made oath: also the affidavit of Christopher Cooper as to the danger to be apprehended at the time stated, in John Smith's neighborhood, from Indian incursions.

THOMAS PRICE TO JOHN DAWSON. June 28th

Asking opinion as to the right of agents to a per cent. claimed by them, which the auditor declines to pay.

D. HUNT TO THE GOVERNOR. June 28th

Pittsylvania county. Relates the action of the Court of Pittsylvania county in the recommendation of officers of the militia at the February County Court, and

1794. June 26th the dissatisfaction created thereby, whereupon the court was re-convened in June to reconsider the said recommendations when the following were recommended: John Wilson, as Col. of first regiment, Wm. Dix, as Major in the first Battalion, Wm. Harrison, as Major in second Battalion, and a list of Captains and subaltern officers recommended by the Court furnished to the Executive, and commissions for the officers so recommended solicited.

June 26th At a Court held for Pittsylvania county the 16th day of June, 1794: Present.—John Wilson, James Johnson, Gilbert Hunt, William Clark, William Wilkinson, Stephen Coleman, William Harrison, William Witchie, Vincent Shelton, Joshua Stone, Samuel Calland, William Dix, Chrispie Shelton, Gentlemen.

Ordered, That the following Boundaries divide this county into two districts, to-wit: Beginning at Halifax county line where it crosses Banister river, thence up the said river to Hickeys road, thence along the said road to Henry County line; and that the militia in the South District shall compose the first Regiment, and the Militia of the North District shall compose the second.

A Copy—Teste:

JOS. AKIN, D. C. P. C.

June 26th Joseph Biggs vs. Capt. Jno. McCullock, } Charges.

Prefers charges against Captain John McCullock for conduct while on a scout on the Muskingon in November, 1793, whereupon a general court martial was ordered by General Biggs, to be composed of officers of the Tenth Brigade, the court to state to the Governor the evidence and facts, together with their sentence, signed by the president of court.

June 26th THOMAS JOHNSON, DAVID STUART, DANIEL CARROLL, COMMISSIONERS TO THE GOVERNOR.

Washington City You will excuse, Sir, Our importunity; we have calculated on the Virginia Donation as a part of the income to defray the current expenses, and we feel that from every other source we cannot supply the deficiency so as to carry us through with credit, notwithstanding we have contracted our operations narrower than we should otherwise have done.

We beg the Executive to consider what a disagreeable situation we

1794.

are placed in, and how much the public interest is injured by this disappointment. On the one hand the eye of impatience is fixed on the progress of the Business intrusted to our direction; on the other we can command nothing of what we had calculated on from the engagement of a State, and lassitude and doubt benumn individuals. June 26th

We entreat you that measures may be taken to furnish us with at least some of this money soon,

And are, sir, &c.

J. PENDLETON TO JOHN DAWSON. June 26th

I confess I have questioned the propriety of the claim set up by the Agents to an allowance of 10 per cent. on all arrearages paid into the Treasury subsequent to their appointment, on a cursory supposition that the Law would not give a reward but for services rendered; in other words, that where the Agency was not nor could not from the nature of the business possibly be employed, the Agent would have no right to the 10 per cent. on payments thus circumstanced.

If the terms Sheriffs or collectors, used in the 6th section of the Law, were intended (as I conceive they were) to describe the acting officers, surely the claim cannot be supported, but if they should be construed to apply to the debtors (which would be strange as the word delinquent is not used to show that the Legislature meant them), it would require more technical subtlety than you are master of to weaken their claim. My opinion is perhaps a singular one, but I must own you are very much inclined to think from the Law that where the payment is made by the delinquent debtor before any proceedings are commenced, and the Agency in nowise employed, the Agent is not entitled to the 10 per cent.

E. MASON TO THE GOVERNOR. June 27th

As arms have been in some instances granted to Infantry Companys, and there are but few whose situation more require them than ours (being immediately on two navigable rivers and surrounded by Towns), I hope, if respect is paid to locality, that you may believe my Company, which belongs to the lower Battallion, entitled to your encouragement.

Receiving arms will create a Military pride, which I hope will induce young men to offer their services, to prevent the stigma of their fathers being draughted.

Your answer will be gratefully received.

I am, &c.

1794. JOHN HICKS TO THE GOVERNOR.

June 27th Richmond

Having been informed that the Executive of this State have, or are about adopting, measures to organize the militia, and establish the quota to be furnished by Virginia, on such principles as to be enabled to march at a moment's warning, agreeable to the act of Congress of the United States, I last evening called a meeting of the Richmond Troop of Horse, when that subject was laid before them, and have the pleasure, by their consent, to make a tender of their services as a part of the first detachment from this State, taking the earliest opportunity of making this communication to you.

I have, &c.

Division Orders.

The requisition contained in General Orders of the 15th for one troop of Cavalry from the 4th Division, must be complied with by the 14th Brigade; the General of which will be pleased to take care that the troop annexed to said Brigade be accordingly prepared & ready to move at a moment's warning.

June 27th

H. KNOX TO THE GOVERNOR.

War Department

I have the honor to acknowledge the receipt of your Excellency's favor of the 18th and 19th instant, the first of which contained information relative to the equipment of the Danstable at Norfolk, owned or commanded by John Cooke, & the last relatively to a British Brig, which you understood to have been restored upon her arrival at Norfolk, she being evidently taken within the limits of the protection of the United States.

The President being absent upon the receipt of these letters, they have been laid before the heads of the departments.

The equipment of the Danstable at Norfolk is considered as a serious evil, & contravening essentially the principles of our neutrality. It is understood at present that she is in the River Delaware, towards its entrance. Application is therefore made to the minister of France that he would instantly cause her to be divested of her warlike equipments, under the inspection of an officer of the United States. Little doubt is entertained of his compliance, provided she should still be within the reach of his orders. If, however, he should decline his interference, it is probable that some effectual measures may be used to compel Mr. Cooper to conform his vessel to the principles which have been prescribed upon this subject.

The original arming of any vessels belonging to the belligerent pow-

ers, whether designed for offence or defence, war or commerce, is absolutely prohibited within the United States. 1794. June 27th

All augmentation of force to any vessels of the above description is also prohibited. This rule will prevent new Gun Carriages from being made, new port holes from being cut in any vessels, additional guns mounted, or the size or calibre of any gun being changed or altered in any manner whatever. This rule had complete operation upon the British letter of Marque ship Jane, which came into the port of Philadelphia in July, 1793. New Gun Carriages were made for 4 guns, which the said vessel had brought in her hold, and she had new port holes cut. All these were considered as unlawful, and accordingly the additional guns were dismounted, the new gun carriages relanded, and the new port holes dismounted, and effectually closed up.

Any further explanations of any of the rules heretofore transmitted to your Excellency shall be promptly given.

I have the honor herein to transmit enclosed an act relatively to the preservation of our neutrality, entitled an act in addition to the act for the punishment of certain crimes against the United States, and also a new rule as to the sailing of vessels of war of the belligerant nations from the United States.

I shall have the honor shortly to transmit some further rules relatively to neutral vessels, or vessels belonging to citizens of the United States arming or equipping for war within our ports.

I have, &c.

1794.

June 27th Return of Laborers employed at Fort Nelson, Commencing the 16th and ending the 28th of June:

Dates.	Removing Earth.	Making Fascines.	Removing Bricks.	Landing Cannon.	Attending Brick Layers.	Turfing.	Total number p. day.
1794.							
June 16, - -	138	16	6	–	6	–	166
17, - -	53	14	6	–	6	–	79
18, - -	50	16	6	–	6	–	78
19, - -	50	16	4	–	6	–	76
20, - -	40	15	6	–	6	–	67
21, - -	26	16	4	–	6	–	52
23, - -	16	12	6	–	6	–	40
24, - -	21	10	4	–	6	–	41
25, - -	12	12	6	–	6	–	36
26, - -	21	12	6	–	6	–	45
27, - -	28	12	4	–	6	–	50
28, - -	14	16	–	12	6	8	56

June 29th, 1794. WM. GRAVES.

Return of Laborers employed at Fort Norfolk, Commencing the 16th and ending the 28th of June: 1794. June 27th

Dates.	Removing Earth.	Making Faciines.	Removing Bricks.	Landing Cannon.	Attending.
1794.					
June 16,	46				
17,	11				
18,	11				
19,	11				
20,	11				
21,	10				
23,	9				
24,	9				
25,	9				
26,	8				
27,	7				
28,	5				

June 29th, 1794. WM. GRAVES.

ROBERT TAYLOR TO THE GOVERNOR. June 29th

Norfolk

When I had the honor of seeing you here I suggested that I imagined the Common Hall of this Borough would have occasion for the money borrowed of it for the use of the Distressed French from St. Domingo, and which I promised should be repaid from the first money received from the Treasury for them.

A few days since I was called on by the Chamberlain for the sum two hundred pounds, and of which Colonel Newton, the then Mayor, promised to inform you, but as he may not have done so, and as I fear the Hall has great use for the money, you will excuse my taking the liberty of mentioning it again to you.

I have, &c.

[illegible]

[illegible]

[illegible]

conformably to Law, and proceed to take the field at a moment's warning. 1784 June 6th

Major General Heath will command the detachments serving under him the Brigadiers Marshal, Mason, Williams and Jackson.

Each division will furnish their respective quota, which the Adjutant General will please forthwith to ascertain agreeably to the military rule and transmit to each Major General.

To each Brigade must be annexed Troops of dragoons and company of Artillery.

The Major Generals are authorized to accept volunteers whom they will proceed to arrange into companies and put under the command of officers from the Regiments out of which companies so formed may respectively belong.

In the Regimental arrangement of the field officers the Brigadiers will please to pay due respect to the locality of the officers, that they may be enabled with all possible convenience to discharge their duty in preparing and disciplining their Regiments.

The law designates the mode of appointing the interior Staff to which the Commandants will refer. The Superior Staff will be appointed when their services shall become necessary.

The love of Country, and the respect for order which so eminently distinguished our fathers, animates their sons.

To the officers belongs the pleasing and useful task of fostering with their fondest attention, those pillars of national glory and national felicity. Next to our duty to God, is our duty to our Country, which we only completely discharge when to the character of a citizen faithful and obedient to the Constitution and the Law, we unite the character of a soldier, ready and determined to vindicate and maintain the dignity and rights of our society. To give full effect to our exertions, the Commander in chief begs leave to impress in the most earnest manner on the General Officers, the propriety of their bestowing every attention in their power toward the due discipline of their respective corps, and persuades himself from his knowledge of the Gentlemen whom he addresses, as well as from the anxious zeal to acquire military knowledge which pervades his fellow citizens, that their endeavors can not be unavailing.

If then, thus principled, and thus prepared, while we admire the wise and humane policy which influenced the councils of America in their efforts to preserve to us the incalculable blessings of peace, we shall encounter the dangers of war with the consoling reflection that its evils are not imputable to our nation.

Division Orders.

Each Aid-de-Camp will please to provide themselves with a book for the purpose of registering General and division orders, and all directions from the Adj.-General transmitted by himself, the Major-General, or, in his absence, by the Senior Brigadier.

1794. June 30th The circulation of the above orders, & the receipt and transmission of Brigade Returns, will form part of the duty of the aid-de-camp.

Major-General Lee has been pleased to appoint Thomas Nelson, of Yorktown, and —— Taylor, of Petersburg, his aids-de-camp, who are to be obeyed & respected accordingly.

The second & 8th Brigade, particularly, are assigned to Major Taylor. The —— & 14th Brigades are assigned to Major Nelson.

JULY 4TH.—DIVISION ORDERS.

The 4th division are required to furnish one Brigadier, three complete regiments, and nine complete companys.

The Brigadier being appointed in General Orders, it is only necessary to apportion to the Brigades their respective quotas, which is done by reference to the laws of Congress & the bill organizing the militia, and by counting each regiment to be complete, there being as yet no returns from the Brigades of their respective force.

2d brigade consists of six regiments; and will furnish one Brigadier, a Brigade Inspector, 2 majors, 9 captains, 9 Lieutenants, 8 Ensigns, 35 Sergeants, 35 corporals, 18 Drums & Fifes, 1 Paymaster, 1 Quartermaster, 1 adjutant, 1 Surgeon, 1 Surgeon's mate, 1 Sergeant-major, & 551 privates.

8th Brigade consists of six reg'ts; and will furnish 1 Lt.-Col., 1 major, 9 captains, 9 Lieutenants, 8 Ensigns, 1 paymaster, 1 adjutant, 1 Quartermaster, 1 surgeon, 1 surgeon's mate, 1 Sergeant-major, 1 Drum-major, 1 Fife-major, 35 Sergeants, 35 corporals, 18 Drums & Fifes, & 551 privates.

9th Brigade consists of 7 Reg'ts; & will furnish 1 Lt.-Col., 2 majors, 10 Captains, 10 Lieutenants, 10 Ensigns, 1 Paymaster, 1 adjutant, 1 Quartermaster, 1 Surgeon, 1 Surgeon's mate, 1 Sergeant-major, 1 Drum-major, 1 Fife-major, 40 Sergeants, 40 Corporals, 20 Drums & Fifes, & 646 privates.

14th Brigade consists of 8 Reg'ts; & will furnish 1 Lt.-Col., 2 majors, 10 Captains, 10 Lieutenants, 11 Ensigns, 1 paymaster, 1 adjutant, 1 Quartermaster, 1 Surgeon, 1 Surgeon's mate, 1 Sergeant-major, 2 Drum-majors, 2 Fife-majors, 41 Sergeants, 41 corporals, 20 Drums & Fifes, & 754 privates.

The Brigadiers will please to exert themselves to carry into full effects the General Orders with all convenient dispatch, & will make report of their proceedings with the required returns to the Major-General, to whom no satisfaction can be more gratifying than that which he hopes to derive from the exemplary and soldier-like conduct of the division which he has the honor to command.

For the General Officers, the dark blue coat, skirts lined with buff, capes, lapels and cuffs buff, buttons yellow.

Epaulets gold, one on each shoulder, black cocked hat, with black cockade, black stock, boots and side arms.

1794.
June 30th

That the uniform for the Infantry be a dark blue surtourt, with half-lapels, duffs and capes white, white lining and buttons, vests and overalls white, with black gaiters, black half-boots, black stocks, hat round and cocked in the left side, with black cockade.

That the uniform of the grenadiers be the same with the Infantry, with the distinction of longer coats and cocked hats.

That the uniform for the Cavalry be a short green coat with buttons, lining, half-lapels, cuffs and capes white, white vests and leather breeches, with Jack boots, spurs and black stocks and black leather cap dressed on the crown with bear skin.

That the Officers of the Infantry, Grenadiers, Riflemen and Cavalry be distinguished by epaulets of silver, the officers of Artillery be distinguished by epaulets of gold; field officers to wear two epaulets, the captains one on the right, the subalterns one on the left; all officers to wear side arms and boots.

That the uniform for the Rifle company be linen hunting shirts of purple colour, with overalls of the same, leather moccasins, or shoes, Infantry hats with black stock.

ALEXANDER CAMPBELL, ATTORNEY-GENERAL OF THE UNITED STATES, TO THE GOVERNOR.

July 2d

Richmond

I observe by the letter of the British Consul at Norfolk that the owners of the vessels alledged to have been captured within the marine limits of the United States, have libelled them in the District Court of Maryland with a view, I presume, to litigate there the legality of their capture.

If this be the case, the question is sub judice, and being before the court of another district, is out of the sphere of my official agency. The only case of this sort in which I have acted, was one which I understood to be depending before the Executive of the United States, but as the district courts have now exclusive jurisdiction upon such subjects, the evidence to be taken must be obtained by the parties concerned, in the modes prescribed by law.

I have, &c.

JOHN TRIGG TO THE GOVERNOR.

July 3d

Bedford county

In consequence of the militia of Bedford county being divided into two regiments, and designated by the 10th and 91st regiments, this has occasioned a contrariety of opinions amongst the militia officers respecting the raising companys of light Infantry by voluntary enlistment.

1794. July 3d

Some of the officers are of opinion that as those companys are to be raised by voluntary enlistment, that consequently they have a right to enlist them from any other regiment other than that which they live in; while others of the officers think that the enlistment of those men are confined to the respective regiments of which the officers are annexed to make a part of. Would your Excellency be so good to signify your opinion as to the latitude which the law gives respecting the enlistment of men of the above description, and in the mean time,

I am, &c.

July 6th

JOHN HAMILTON TO THE GOVERNOR.

Norfolk

I have the honor to acknowledge the receipt of yours of the 2d of July.

Mr. Moore, the clerk of the court of Admiralty, has arrived, and has taken the interrogatories of the witnesses in the case of the ship Charles and Schooner Delight, so that business being now settled, your Excellency will be pleased to decline any further trouble on the occasion.

I am authentically informed that John Sinclair and others of Smithfield, as now fitting out a large ship as a privateer to carry twenty guns, and that a Capt. Doharty and a Mr. —— now in this place and Portsmouth, are enlisting and recruiting men for the said ship.

This being contrary to an act of Congress passed last session, you will no doubt take such steps as appears to you proper to put a stop to the equipment of the said ship contrary to the laws of neutrality, and to the above act of Congress made for such purposes.

I inclose you an Invoice of my Plate with the first Cost and Charges, & a State of the lowest price I will take. The payment, either Cash, Bills of Exchange, Tobacco, or Flour, at the market price. The articles have never been used, and are now in the case.

I had just wrote this far, when I was favored with your Excellency's letter of the 3d, with the Attorney-General's inclosed, and thank you for your attention to this Business, which is exactly conducted as Mr. Campbell has stated.

With, &c.

July 6th

PROCLAMATION OF GOVERNOR LEE.

By the Governor of the Commonwealth of Virginia—A Proclamation.

Whereas, I have received information that some wicked and evil-disposed person or persons, whose names are unknown, did, on the night

of the 20th of June last, feloniously steal and take away Two Children of Peggy Howell, a free Mulatto living in the county of Charlotte, with a design, as is supposed, to sell them in some of the neighboring States as Slaves, the name & description of which children are contained in the Hue and Cry subjoined. And whereas, the rights of humanity are deeply interested in the restoration of the Children to their parent, and the good order of society is involved in the punishment of the offenders, I do by and with the advice of the Council of State issue this my Proclamation offering a Reward of Fifty Dollars for the recovery of each of the said children, and the further sum of one hundred dollars for apprehending and securing in the public jail of Charlotte county the offender or offenders. 1794. July 6th

Given under my hand as Governor, and under the Seal of the Commonwealth, in Council Chamber, at Richmond, this 8th day of July, one thousand seven hundred and ninety-four.

HENRY LEE.

To the Sheriffs and Constables within the Commonwealth of Virginia to whom this shall come:

Charlotte County, Sct.:

Whereas Peggy Howell, of this county (Mulatto free woman), has this day made oath before me, Robert Bedford, one of the Justices of the Peace for the county aforesaid, that on the night of the 20th instant (June) two of her children were kidnapped and feloniously taken away by persons unknown, who are since fled for the same, and are not yet apprehended.

These are therefore in the name of the Commonwealth, to charge and command you, and every — of you, in your several precincts, to search diligently for the said persons, and to make hue and cry after them from county to county, and if you shall find the persons by whom the said robbery was committed, or whom you shall have just cause to suspect thereof, that then you apprehend and bring him, her, or them, before some Justice of the Peace of the county where they shall be taken, to be dealt with as the law directs.

Given under my hand this 22d of June, 1794.

ROBERT BEDFORD.

P. S. The children were both boys, between four and five years old, stout and well made. One named Peter Toney, of a dark complexion, is blind of his right eye, having a film over it, and in his left eye a small white speck near the sight; has recently lost one of his finger nails by a wound; has a wound in his forehead, occasioned by a burn, which is not quite well, and may probably leave a scar. His hair (which is not inclined to be very long) has been lately trimed pretty close, all to a

1794. July 6th — little on the back part of his neck, between his ears. Had on when he was taken away, a coat and overalls of blue plains, his coat (having a row of small metal buttons on each side and no button hole) was fastened by strings. The other, named Edmund Booker, of a dark complexion likewise, his hair short and sun burnt, his fore teeth decayed and turned black, has a scar on his right knee, occasioned by a burn; had on when taken away, an osnabrigs shirt.

July 6th — At a Court of Oyer & Terminer held at the Court-house of Spotsylvania County on Monday, the seventh day of July, one thousand seven hundred and ninety-four, for the trial of Ned, a negro man slave, the property of Peggy Chew Carter, of the county of Caroline, and of Harry, a negro man slave, the property of Jerry Morton of the said County of Spotsylvania, who stand charged with the murder of James, a negro man slave, the property of the said Jeremiah Morton.

After hearing the testimony of divers witnesses and of them, the prisoners, the court found them both guilty of the crime of murder as charged and sentenced them to be hung on Monday, the 11th day of August next.

July 8th — A. LEWIS TO THE GOVERNOR.

Botetourt — Inclosed you will have a letter containing Capt. Crockett's resignation, with his reasons, which I have taken the earliest opportunity by accidental conveyance to make you acquainted with, and am heartily sorry for the loss of so good an officer. I hope your Excellency will consider the disagreeable situation that I now stand in, having command of three companys and almost without officers. You are too well acquainted with the command of troops to expect that soldiers will do their duty fully without under the eye of those they are obliged to obey. Were the troops garrisoned convenient to others, it might be done, but where in so many different stations as those are, and at so considerable a distance from others, it is impossible, and hope that Capt. Crockett's place will be immediately filled by commissioning a proper person, and also subalterns for the vacancys now in the companys occasioned by the resignations of Ensigns Campbell and Adams.

When I left the frontiers the other day all was well. Some time ago we were amused with the prospect of peace with the Cherokees, by a talk from the Hanging Man to Governor Blount. At that time, an Indian among those Tribes, known by the title of Colonel Watts, with some other of the chiefs, were at Pensacola, since which they have returned, and report says that Watts has sent in a Talk to Governor

Blount that he may expect nothing but war; that he is determined to have revenge for the blood spilt. If this is true, we shall have plenty to do. 1794. July 8th

Having a very considerable harvest on hand, and the misfortune to lose some hands, occasions me to be at home a short time. So soon as possible shall return. Should instructions come forward for Captain Hawkins to take his post, I fear it will be hard to meet with him, as he is at present out of the State, nor do I know when he will return.

I am, &c.

Head of Clinch, June 22d, 1794. July 8th

Dear Sir:

On the last day of this month you as the commanding officer of the Troops defending the Southwestern Frontier, will be pleased to accept of my resignation as Captain of a company of volunteer militia, placed under your instructions by order of the Executive of Virginia.

The reasons of my resignation are, that I may acquire the knowledge necessary for a clerk of the county court, by the instruction of Major Smith, who intends to remove from the Courthouse next spring, and eleven of the members of the last court requested me to do the business in court myself, that a full court should not be wanting in future.

I am always ready to be advised by my friends, but am determined no part of my conduct shall ever be governed by my enemies.

I should indeed be happy, was it in my power, to accompany you next fall to one of the Indian Towns, but it will be out of my power so to do. However, I wish you the same success, and that your conduct may always continue to meet the appellation of "well done good and faithful servant," as well as pave the way for a trust of greater importance.

Accept, &c.,

R. CROCKETT.

Captain A. Lewis.

R. CROCKETT TO THE GOVERNOR. July 8th

Having obtained the clerkship of this county, and finding it difficult to employ a Deputy capable of doing the business of that office, urged me to a resignation of my appointment on the Southwestern Frontier. Wythe

On the first day of this month, I left the Head of Clinch and about the 20th of last, wrote to Capt. Lewis as Commandant of the Troops defending the Southwestern Frontier, to accept of my resignation, expecting he was authorized so to do. I expected an answer from Capt. Lewis immediately after he received my letter, but he having left the Frontiers a few days before, I suppose is the reason I have not got one. The other day I saw General Tate, who is of opinion that no person is

1794. July 8th authorized to accept of my resignation but your Excellency. In consequence of which, and not receiving an answer from Capt. Lewis I shall without loss of time return to the Frontiers, and there remain until I have the approbation of your Excellency for my resignation, as I would be really sorry to do anything as an officer which the Executive might think improper.

I am, &c.

July 8th At a court held for the county of Wythe on Tuesday, the 8th day of July, 1794:

Present: William Davis, John Adams, Leonard Straw, Robert Sayers James Finley, Gentlemen Justices.

Ordered that John Thompson Sayers, William Thompson and Alexander Buchanon be recommended to His Excellency the Governor as Sheriffs for the county of Wythe.

A Copy—Teste:

W. DROPE, D. Cl'k.

July 9th

ARTHUR CAMPBELL TO THE GOVERNOR.

Washington By intelligence from Knoxville, the uncle of Capt. Bench is out with thirty warriors to take revenge in Virginia. The necessity of having some men on duty near Mockison Gap, the former place of his haunts, and now we suppose of his avengers, seems urgent. Were Captain Lewis' company so arranged as to cover that settlement, and he be active in ranging the woods, it might in a degree appease the fears of the Inhabitants. That part of Lee county which turned out so cleverly under Lieut. Hobbs in pursuit of Bench, is altogether exposed; that is they have no part of the guard on duty nearer than forty miles. My own conjecture is, that Hobbs and his friends may be the sufferers. All late accounts say that the whole of the lower Cherokees are for war.

I am, &c.

P. S.—I write by a traveller.

July 9th

ROBERT ANDREWS TO THE GOVERNOR.

Williamsburg Last Monday the Hustings Court of this city recommended to the Executive, officers for the company of militia.

The appointment, I think, is judicious, and it has the approbation of the people. The members of the court desire me to solicit a small supply of public arms for this company, which I suppose will consist of about one hundred good men. If the principles which govern the

Executive in their distribution of arms will permit a compliance with the wishes of the magistrates of Williamsburg on this occasion, I am persuaded the public property will be safely entrusted, and into hands which will at all times make proper use of it. 1794. July 9th

I am, &c.

Virginia—To-wit:

James Monroe, Esq., who was duly chosen a Senator for this Commonwealth in pursuance of the Constitution for the United States of America, having resigned during the recess of the Legislature of the Commonwealth, I, Henry Lee, being Governor or Chief Magistrate of the Commonwealth, have therefore thought fit by and with the advice and consent of the privy council, or council of State, and by virtue of the said Constitution, to appoint Patrick Henry, Esquire, to be and act as a Senator for the Commonwealth, until the next meeting of the Legislature thereof. July 10th

Given under my hand and the seal of the Commonwealth this 10th day of July, one thousand seven hundred and ninety-four.

HENRY LEE.

WYATT COLEMAN TO THE GOVERNOR.

July 10th

Capitol

From two considerations I beg leave once more officially to represent to your Excellency the defective state of the roof of the Capitol, which by the late heavy rains, has rendered the Council Chamber already unsafe from the great probability of the plaster falling.

It need hardly be further presented that in a very short time the timbers which support the roof must decay by being exposed to wet whenever it rains, and that the consequent ruin of the building must follow.

The second consideration respects myself, who have in consequence of these defects, had an extraordinary duty imposed upon me, which I have heretofore understood belonged to another, to-wit: the keeping in order the Council chamber.

The duties of my office originally were more than I could execute, which compelled me to hire a servant, an expense I could very illy afford to incur from £30 per annum. I shall esteem it a singular favor if your Excellency will be so good as to define particularly my duty, which I will spare no pains to execute.

I have, &c.

1794. SAMUEL COLEMAN TO THE GOVERNOR.

July 11th Capitol

At the request of Mr. Minor, and on behalf of the keeper who cannot get to the top of the Capital, I have this morning been upon its roof, and beg leave for the information of your Excellency to state that in covering the same the sheets of lead have been placed up and down, and combined by folding the edges together; thus for near half-way to the top on the northwest side, forming a sheet of such immense weight that the nails heretofore intended for that purpose could not prevent it from sliding down and leaving a chasm between this and the sheet next above, which is laid on and combined in the same manner, and which from its great weight also slides down, leaving a chasm between that and a third sheet which reaches to the top. That the southeast side of the roof is nearly in the same situation. That it appears to me impracticable to keep the roof tight with the lead put on as it is now, even with the most faithful workmanship, which I do not believe from present appearances has been practiced upon it.

I was forcibly struck with the propriety of an observation made by Mr. Minor while upon the roof, which was that the most eligible mode of putting on the lead would be to lay it in single sheets across the rafters, beginning at the bottom and nailing them and lapping them sufficiently to keep the roof secure (explained below). That the alteration thus contemplated would be attended with considerable expense. That at present for a temporary prevention of the injury occasioned by the leaks, planks have been introduced into the chasm before mentioned, which but very partially answers the purpose. That the introduction of sheets of Lead (if to be had) instead of plank could not be expected to answer any better for any length of time; and that Mr. Minor wishes a committee of the Executive to examine the roof in order to a decision what ought to be done.

I have, &c.

[N. B.—Accompanying this letter is a rude diagram, which cannot be easily copied.]

July 11th Norfolk

J. J. W. RIVARDI TO THE GOVERNOR.

I have the honor hereby to forward to your Excellency the Map I have made of Elizabeth's river; all the distances you requested me to determine are accurately measured, and any other you should like to know within the reach of the guns of the forts, can be measured by the scale which is annexed to the Map. I drew a copy of it for the War Office, but, unhappily, it is too large to enter the mail; I have therefore been forced to injure it much by folding it. When I have a little time,

I intend to make a second chart, including the Capes, but it requires a trip of a few days, and that must be left for the future. 1794. July 11th

Had I not known that accuracy and clearness are the first objects required in plans, I would have mine and made a drawing of it but I hope this answers every purpose.

Mr. Courty has just finished the copy of Fort Nelson, which I gave him to do before your departure. I therefore did the whole of these myself, and shall request him now to do some other business concerning Craney Island.

Notwithstanding the bad weather, Fort Nelson goes on tolerably well. Most of the platforms are placed, the new lines more than half raised towards the land side, and the powder magazine so advanced that if the weather is more favorable it will be completed in a few days.

Your Excellency will see by the enclosed return that it was impossible to keep any hands working at Fort Norfolk—a division of our means would reduce them to a trifle. The guns arrived from Elk are, some of them, good, some very indifferent, and only proper for short distances. I therefore shall have them mounted on the battery which commands the entrance of the harbour.

Mrs. Rivardi presents her respectful compliments to Mrs. Lee, and

I have, &c.

Receipts given to Alex'r Lary for packets and letters delivered by him to sundry parties to whom sent on official business.

ALEXANDER CAMPBELL, ATTORNEY-GENERAL U. S., TO THE GOVERNOR. July 11th

It having been represented to your Excellency by the British Consul at Norfolk, that a Mr. Sinclair and some other persons at Smithfield, are fitting out a ship to act as a privateer in the present war of Europe; I shall consider it as my duty if this shall appear to be true, to prosecute on the part of the United States for the forfeiture and penalties which have been incurred by this violation of their laws. But before such prosecution can be instituted by me, I must be certified that there is at least probable ground for it, and though Mr. Hamilton's information on this head be respectable, yet it is not legally sufficient. It only furnishes cause for an inquiry into the fact, which it is within the proper province of the Executive to make. Richmond

If upon this enquiry the Executive or the officer whom they shall appoint for that purpose, shall be satisfied that the representation of the British Consul is well founded, I must request that your Excellency will

1794. July 11th in that case direct the vessel to be arrested and detained until means can be taken by the civil power to enforce the laws upon this subject.

I am, &c.

July 12th

WILLIAM LINDSAY TO THE GOVERNOR.

Collector's office, Norfolk

Enclosed is a copy of a letter I have received from Copeland Parker, Sur'r at the post of Smithfield.

I am, &c.,

A copy.

July 12th

Surveyor's Office, Smithfield,
July 8th, 1794.

Sir:

In conformity to your request I have examined the ship Unicorn, now at this place under a state of repair.

The ship appears to be about 65 feet keel, 24 Beam, and 9 feet hold, was built during the late war in Maryland, is sharp built, and must sail fast from appearance; her upper Deck has been cut down. She now appears to be fitting for an armed vessel, having a slight waist run up, with eleven port holes of a side. She is under the direction of Mr. John Sinclair, a native of this country, who has expatriated himself by law and calls himself a citizen of France. He has many men Imployed upon the ship, and from appearances she may be ready to sail in three weeks. A number of Guns are laying by her, which is intended for her, and from every appearance she is designed for a Cruizing vessel. What may be Mr. Sinclair's intentions I do not know, but it is generally said she is to go to sea armed and well manned with citizens of the United States. It is thought by some, that she has been commissioned by Admiral Vanstable, by others that she is to go to a French port, and there obtain a commission to act against the Enemies of the French Republic.

I am, &c,
Signed COPELAND PARKER, Surveyor.

To Wm. Lindsay, Esq'r,
Collector of Norfolk.

July 14th

ROBERT ANDREWS TO GOVERNOR LEE.

Williamsburg

Mr. Galt waits on you for the purpose of procuring money for the use of the Lunatic hospital, and supposing it might give more weight

to his application, he has requested me to represent to you the necessities of that institution. I am sensible that this is not necessary, and that your directions respecting the draft will depend on the state of the Public treasury. When the directors of the hospital last met, on enquiry into the claims on it, they found them to amount nearly to the sum now applied for, and I believe Mr. Galt has been obliged to borrow money of his friends for its support. 1794. July 14th

With, &c.

SAMUEL BUTLER TO THE GOVERNOR. July 15th

Your letter of the 11th instant sent by express to Brigadier-General Bradley was left at his seat in this county on the succeeding day. As the General was then in Powhatan, and his return not expected for a considerable time, and as I thought it probable that the contents of your letter might require immediate attention, I took the liberty of opening it. Surry

Yesterday morning I went down to Smithfield, and immediately on my arrival there I waited on Mr. James Wells, who is the Colo. Commandant of Isle of Wight county, and who resides in Smithfield, of whom I enquired respecting Mr. Sinclair's fitting out a ship at that place for a privateer. Col. Wells told me there had been such a report, and in consequence thereof he had endeavored to obtain every possible information concerning it, but that he had not been able to establish the fact, nor did he believe that it was the intention of Mr. Sinclair, or any one concerned in the Ship, to fit her out for the above purpose.

After making the fullest inquiry of every disinterested person from whom I could expect to receive the smallest information, and having strictly examined the ship (which I found to have been lately cut down, and on board of which were eighteen wooden guns), I waited on Mr. Sinclair, and interrogated him respecting the matter. He solemnly declared to me that the ship was not intended for a privateer. That he had sold one-half of her to a Gent., at whose request he had cut her down, and that they meant shortly to load her for France, where they expected to make sale of her. Mr. Sinclair farther assured me that no commission ever had been obtained for the ship, and that neither he nor his partner had it in idea ever to make application for one.

Upon the whole, sir, I did not conceive that the grounds of suspicion were sufficiently strong to justify my taking possession of the ship. Colonel Wills, however, has assured me that should he have good reasons to believe that an attempt will be made to violate the neutrality of the United States by fitting out the above ship for a privateer, every necessary and legal measure within his power shall be adopted in order to prevent it.

1794. July 15th — Hoping, sir, that my conduct in this business will meet with your approbation,

I have, &c.

July 16th — WM. LINDSAY TO THE GOVERNOR.

Collector's office, Norfolk — Since my letter to you of the 12th instant respecting the ship arming at Smithfield, I have received information from Mr. Parker, Surveyor for that Port, that a vessel has arrived there from Baltimore with 300 four-pound balls, and a considerable quantity of powder and grape shot for the further equipment of said ship.

It is said she will be ready for sea sooner than was expected.

I am, &c.

July 16th — WYATT COLEMAN, SR., TO THE GOVERNOR.

Asking instruction as to his duty as Keeper of the Capitol.

July 16th — WILLIAM LOWTHER TO THE GOVERNOR.

Clarksburg — On my way to visit the posts on the Ohio, at Morgan Town I received yours of the 9th of April. I am sorry to observe by a letter from Gen'l Wood, of the 26th of June, that I am suspected of disobedience of orders, but do not doubt of standing excused when your Excellency is assured I did not receive the orders prior to Mr. Martin's setting out for your city. I am at present but a few days returned from the Towns, and am making the necessary arrangements for a prompt compliance with your request, and the Troops shall be stationed on the river in the most judicious manner I am capable of directing.

Although the orders I received from Gen'l Wood are to station the men between Holliday's Cove and Little Kanawha, yet I have ventured to direct Captain Bogard to take his stand at the mouth of Great Stockhocking about 16 miles below the mouth of Little Kanawha, as I am fully sensible the enemy very frequently pass and repass at and near that place when they commit depredations in this country. But should your Excellency disapprove of the measure, they shall be immediately removed. So soon as I take my station on the river I will endeavor to make returns and forward all material occurrences.

The pay abstracts presented by Mr. Martin were returned as informal. I shall send others, which I trust will be satisfactory, and beg leave to request to be notified so soon as the money is ready, as many are uneasy at its long delay.

I just received information that I believe may be relied upon, that a party of Indians attacked a part of Captain McCollock's company near the mouth of Cross creek on the north side of the river, and killed three, and about the same time three men were also killed on the river near to the Pennsylvania line. 1794. July 16th

I have, &c.

PETITION OF PHILLIP WILLIAMS AND R. PASLEY TO THE GOVERNOR. July 16th

Praying for a relaxation of discipline in Henrico county Goal.

JOHN STUART TO HON. JOHN STEELE. July 16th

Since I wrote you yesterday the Kanawha man has arrived. He brings no news—all there is peace. I have enclosed two recei'ts for the ammunition I furnished them, viz: 195 lbs of powder. Lead, I could get none. At the Beginning of this Season our people on the Frontier of this county were very apprehensive of danger from the Indians, and as their was much rumor of war I thought it best to provide against danger, and therefore took a barrel of powder of Ace Ludington of 100 lbs weight, which I promised to see him paid for, and which I intended to apply to the use of Militia, provided occasion should lie. The powder has since been in my possession, where I shall retain it for said purpose provide the Board should think it necessary. If so, they will be pleased to grant an order for the payment; if not, I shall be under the necessity of paying Ludington, making the best I can of it. This you will be pleased to mention, and also have Clendinen's receipts settled, for this he has received. Ludington's was the only stock of powder in this country, and I have passed my word for payment of the whole to him. What may be obtained please deliver to Col. Gamble. Greenbrier

I am, &c.

WILLIAM PATTON TO THE GOVERNOR. July 17th

Explaining the causes of delay in entering upon his duties as Agent in his District. Pendleton county

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GOVERNOR LEE TO CAPTAIN A. LEWIS. July 17th

I received your favor of the eighth enclosing Captain Crockett's resignation, which I am sorry for, as he was a valuable officer. Richmond

1794. July 17th

As you express a doubt whether Captain Hawkins could readily be met with was he called upon to take his post, being at present out of the State, the council have advised that Captain Niel and Ensign Cockrell be required to take command of the men in ye room of Captain Crockett and one of the Ensigns whom you say have resigned, and I request you will give them immediate notice to repair to their respective stations.

I have, &c.

ROUGH ORDERS.

The President of the United States having required a second detachment of Militia from this Commonwealth, amounting to three thousand infantry and three hundred cavalry, inclusive of commissioned officers, to be prepared for immediate service, the commander-in-chief accordingly directs the same to be forthwith appointed.

The 2d Division will furnish 2,000 infantry, composing, with officers, two complete regiments of infantry and seven complete companies, with three troops of C.

The 3 Divisions will furnish 1,000 infrantry, composing, with commissioned officers, one complete regiment, with four complete additional companies and two troops of cavalry.

The Fourth Division will furnish one troop of cavalry.

July 19th

D. M. RANDOLPH TO THE GOVERNOR.

Smithfield

To describe the particulars of our situation at this moment is impossible. This business has progressed as was expected. We are in possession of the ship, and the military aid is so inadequate to the occasion that the completion of my errand is out of the question. Sinclair's words are these: "he could raise if he pleased 50 men sooner than I could. No resistance however was made to the arrest of the vessel, which was made after waiting the whole day in vain for that assistance from the Colo. which had been required upon our first arrival. We have now only about eight men in number, and after my personal application to individuals we can muster about six guns that may possibly fire; not a single bayonet. I am well informed of Sinclair's having 50 stand of arms in his sail loft, where his powder, shot, and all his valuable implements of war are deposited. My authority not extending to reach his houses, I demanded of a magistrate a warrant to examine, which has not been granted. Neither will my demand be respected till your further instruction. I have received a formal warning from Sinclair, to-wit, that if 500 men attempt to search his house & his life shall be the

forfeit, he will put the first man to death. He just this moment came to the side of the Ship for this purpose, attended by a Capt. Malcomb, who was armed with a sword and pistol. The first was wrested from him whilst it was exhibited over the vessel's side, and wounded in a very trifling degree one of the men (by accident I believe). The pistol he walked off with, swearing that whoever should take that from him, should receive two balls through the head first. Since which affair, two of their men have been seen on the hill well armed—and the Lieutenant of our Guard returning on board, heard one of his men say in the dark, that if Capt. Sinclair would give orders they would soon clear the decks. This much was said to me also before it was dark. 1794. July 19th

I have written to Colo. Lindsay, per Express this moment, stating briefly our situation, & requesting the Cutter with an armed force to come to our assistance. I shall say no more of searching for the arms, sails, &c., &c., &c., which are certainly stored, until your further orders. This part of the business, notwithstanding he peaceably surrenders the ship for to-night, will be serious. He and the people belonging, swear they will come on board & go to work on Monday, and this they can accomplish when they please.

From present appearances, they have about 15 to 18 men well equipped & impatient for his orders. Major Taylor & myself shall continue on guard till we can be relieved. There are many particulars relative to this business, which we shall endeavour to recollect and communicate at another time. The power to search & the mode will be expected from you by Express.

I am sorry to mention the abuse offered Mr. Parker, as well from Capt. Sinclair, as others of his attendants.

Mr. Parker's conduct seems to have been highly meritorious, and 'tis extremely aggravating that he has great cause to fear assassination. He has been warned by several friends.

I am, &c.

G. K. Taylor to the Governor.

July 19th

Smithfield 11 o'clock at night

I have the honor to inform you that in complyance with your orders, I have accompanied the Marshall to this place, and finding that military force would be necessary to keep the vessel, which was to be seized, I delivered your letter to Col. James Wells, the commandant of the militia of Isle of Wight County.

The directions contained in that letter have been so illy obeyed, that at this moment, after giving the commandant at least twelve hours' notice, we have only 7 or 8 armed men to guard the vessel which the Marshall this evening took possession of. We ourselves are guarded by a much more considerable number devoted to Captain Sinclair, and

1794. July 19th know not whether the vessel will not be rescued from us before morning. His men are all properly accoutred. Our few have nothing superior, and scarcely anything equal to common fowling pieces. All ideas of further aid from the county of Isle of Wight appear to be idle, from causes which I shall detail in a subsequent letter.

In this emergency Mr. Randolph has written to Mr. Lindsay, collector at Norfolk, and (although I had no orders from you to warrant it), I have requested Brigadier General Mathews to aid Mr. Lindsay as far as may be necessary. Mr. Randolph's request to Mr. Lindsay is, that the revenue cutter should be immediately sent up to this place. Capt. Sinclair has plainly informed us that he will resume possession of his vessel, and from present prospects, our only chance of preventing him is by the arrival of the cutter. I have further to add, that we are informed from sources too respectable to afford room for doubt, that in a house contiguous, a number of cannon, muskets and balls, and a considerable quantity of powder are deposited. The house, Captain Sinclair has informed us, he will lose his life in defending. At the same time, we conceive that we have no license without the aid of the civil authority, to attempt force in obtaining them, and therefore I have written this hasty scrawl to inform you of the circumstances, not doubting that we shall immediately receive the commands of the Executive on the subject. I have no time to take a copy of this letter, and therefore hope that you will excuse inaccuracies.

I have, &c.

Dear Weisiger:

As citizens and friends we have to request of you that the instant you receive this letter you will send its enclosures to Richmond. Wait not the rising of the morning sun, but whenever this letter reaches you, whether by day or by night, send on an express with the letters to the Executive.

We are perplexed, and must wait further orders.

We are, &c.,

D. M. RANDOLPH,
G. K. TAYLOR.

Saturday night, 11 o'clock, July 19th, 1794.

July 19th

JOHN LITTLEJOHN TO THE GOVERNOR.

The amount of the claims sent to the Executive for payment from this county for guards upon the Potomack to prevent the fever so much dreaded by the inhabitants of this State, amounted to 21. 5. 9. The board, called in your absence, issued a certificate, now sent for payment,

to the amount of 17. 9. only. The claimants are not willing to submit to the loss, and threaten the contractors with suits for their demands. The contractors are willing to lose the charges they have made for their services, but think it hard to be out of pocket. Losing their time and money does not feel pleasing, as they rested assured the demands of the claimants would be paid, and they are much censured by the guards, who say they have received the money and will not pay it. For my own part, I have paid mine to prevent the reflections of the guards, but as all the claims were put into my hands to collect from the Executive, I am now the only person censured. Shall be much obliged by a statement of the principles upon which the board proceeded to dock the account, as it may be satisfactory to those concerned.

1794. July 19th

I am, &c.

A. Quarrier to John Marshall, B. G.

July 19th

I had the honor some time since to communicate to you the offer of my service, together with the other officers of the artillery, and the rest of the company to make the first tour of duty that may be required from the President of the United States.

Richmond

The company of artillery consists of 44 present, and I have no doubt I shall be able in a few days to complete the company. I hope there will be no difficulty in accepting it, as it is at present.

I am, &c.

J. W. Rivardi to the Governor.

July 19th

I gratefully acknowledge having had the honor of receiving your last letter. Nothing could afford me more pleasure than the hopes of seeing your Excellency soon. Your presence will undoubtedly arouse the sleeping patriotism of the inhabitants here, and put a stop to those vile little cabalings so detrimental to public good. They disgust me too much to allow me to enter into particulars, and shall reserve that topic for one of our first conversations. In the meantime, I am happy to inform you that since I had the honor of writing to you last, Fort Nelson has gone on very well, considering our want of hands and money. The latter are now well acquainted with their business. The land lines are all indelibly marked. The platforms all placed. The Embrasures partly completed. It will now take a couple of weeks more to finish all but the turfing of the traverses: that business can be left then to a small party, and our main force be transferred to Fort Norfolk. By that time, I hope we shall have a pittance from the Country and everything will then go on better.

Norfolk

1794. July 19th

I have the honor to submit to your Excellency's inspection the plan I drew for Crany Island. Should Point Comfort be fortified, the battery of seven guns drawn in the Margin would be sufficient even without the outworks traced in yellow.

One hundred men would then be enough for the defence of that very important spot. In case, however, Point Comfort was left without defence, I should think eleven Guns necessary as marked in the plan.

If we had been amply provided with money, I should have proposed a Crown Work, but it would be very expensive and require too numerous a Garrison. Please to send me your orders on that subject, that I may bring them into execution as soon as possible.

Mrs. Rivarde returns her grateful acknowledgement to your lady for her kind remembrance, and longs much to have it in her power to enjoy the honor of her society.

I am in great hurry, having the inclosed plan to finish. I therefore shall only beg you to believe me, &c.

P. S.—The money announced by the Secretary of War has not yet been transmitted, which hurts us much. I intended to send your Excellency a return of the workmen employed last week, but Mr. Graves could not be found this morning.

Return of Laborers employed at Fort Nelson, commencing the 7th and ending 13th of July, 1794:

Dates.	Removing Earth.	Making Fascines.	Removing Bricks.	Attending Bricklayers.	Removing Lime.	Turfing.	Laying Fascines.	Laying Platforms.	Bricklayers.	Total number per Day.
1794.										
July 7,	5	16	5	6	–	6	–	6	4	48
8,	8	14	4	4	5	4	4	–	3	46
9,	13	12	4	4	5	4	6	4	3	55
10,	17	16	"	4	–	–	4	6	3	50
11,	18	14	5	4	–	–	5	6	3	55
12,	31	14	–	6	–	–	–	8	3	62

WM. GRAVES.

THOMAS MATHEWS, B. G., TO THE GOVERNOR. 1794.

I this day received by express from Major Taylor a letter, of which number one of the inclosed papers is a copy. The other enclosures are orders arising from that letter. The tenor of Major Taylor's letter appears to me of too much importance to be neglected. I therefore directed the detachment mentioned in my orders to Col. Newton to his aid, but hope the good disposition of the citizens of the Isle of Wight will lead them to assist rather than oppose the legal process of their country. July 20th Norfolk

I hope the Executive will approve the measures I have pursued.

I am, &c.

Norfolk, July 19th, 1794, 10 o'clock at night.

Sir:

I have been sent down by Major General Lee to assist the Marshall in taking possession of the ship Unicorn, which is said to be arming against the laws of the United States, in order to cruise against some of the European belligerent powers. At the same time I was furnished with a letter to the commandant of Isle of Wight county, directing him to furnish us with as many men as might be requisite. This letter has been so badly obeyed that we have at this moment only about seven or eight armed men on board, and there is no probability of keeping the vessel without further aid.

In this predicament Mr. Randolph, the marshall, has written to Mr. Lindsay, the collector at Norfolk, requesting his assistance, and I beg leave, as Aide-de-Camp to Major-General Lee, to request that you will assist the Collector as far as may be necessary. No further aid from present prospects is to be expected from Isle of Wight County.

I have, &c.

G. K. TAYLOR.

Brigadier-General Mathews.

Norfolk Borough, 20th July, 1794.

Sir:

On the receipt of this, you will be pleased to order one Subaltern, two Sergeants, and twenty-five privates of your Regiment, properly equipped for immediate service. So, soon as the detachment is ready, you will direct the officer to call on me for orders.

I am, &c.

THOS. MATHEWS, B. G. 9th B.

Lieut.-Col. Thos. Newton.

1781 Norfolk Jan July 1781.

Sir

June 30th Major Lamboy Collector of the Port has delivered me your letter of yesterday I suppose the hurry in which you write has prevented your stating the number of men that would be adequate to the service for which the requisition was made. The Collector having communicated to me as the Revenue Cutter belonging to this Port I have ordered by that conveyance to your assistance one Sergeant two Sergeants and twenty-five privates.

When I consider the great disposition of the Citizens of Virginia to conform to the Laws of their Country I have a hope that you will meet no opposition from the Citizens of Isle of Wight County in the execution of your duty General Bradby is in your neighbourhood and will no doubt contribute all in his power to your assistance.

I am &c.

THOS MATHEWS R G Va B

Major G. K. Taylor

Norfolk July 30th. 1781.

Sir

You will immediately proceed with the detachment under your command on board the Revenue Cutter commanded by Capt. Lacey and proceed with all possible expedition to Smithfield in the County of Isle of Wight. On your arrival there you will present these orders to Major Taylor Aid-de-Camp to Major-General Lee whose orders you will obey, or the orders of such officer as he may direct. I shall expect your report in writing on your being discharged by Major Taylor or your Return.

I am &c.

THOS MATHEWS R G Va B

Lieut. Robt. Woodside.

July 30th JOS. WESTCAR TO THE GOVERNOR.

I have dispatched a Sergeant and eight men to assist Mr. Randolph in the expedition and have ordered my men to meet to-morrow morning in order to march to Smithfield.

I wait for your orders. I am &c.

July 31st BAYLOR HILL TO THE GOVERNOR.

Norfolk In consequence of the last General Assembly passing an Act in favor of the French emigrants from Saint Domingo for a sum of money not

exceeding Two Thousand Pounds, as a further support for those poor distressed people. I, as one of the agents appointed by Norfolk Borough Court, with Mr. Robert Taylor and Mr. Donald Campbell to distribute whatever might be sent for their relief. 1794. July 21st

I, as the acting person engaged with the baker and butcher to furnish them with provisions, to the order of Mr. Graves, who was also appointed by the said Court as Commissary, to issue provisions from day to day as it might be wanted, became in some measure responsible to them.

At the close of the term which we recommended to the Assembly, as we supposed would be sufficient (say the 16th of April,) there was a deficiency of funds in my hands to pay up the remaining balance to that time of Fourteen Hundred Dollars; besides some money borrowed from the corporation by Mr. Taylor, which I believe is yet unpaid.

In consequence, the baker and butcher who furnished the provisions, instead of the custom being a profitable one, laying out of their money so long, it has nearly broke them up, as they depend on their labor for support. Indeed there is scarcely a day that one or the other does not apply to me in consequence of what you told me when you was here, that you would attend to their business on your return to Richmond, and forward the needful down. I heartily wish it may soon arrive, as I can assure you from my own knowledge of the men, they are much distressed for it.

I am, &c.

ROBERT MITCHELL TO THE GOVERNOR. July 21st

In compliance with your instructions to me I have impressed the Sloop Molley at this place. She is about 35 tons burthen, and will carry 60 men for this short and intended voyage. She is the property of Capt. James Roberts; the master's name is Thomas Graham. I have Got planke from Messrs. Haque & Lester to make a platform in the hold of the Vessel for the Soldiers to Lye on; likewise have procured a Large Iron Caboose, as that will be much wanted to Cooke in when there will be such a number of men. Rockets' Landing

You'l please, therefore, to send me instructions in writing confirming the above. The vessel will be out of the Creek by 10 o'clock A. M. and ready to set sail. Give me leave to recommend the troopes Imbarking at Rockets, that is, if the wind continues as it now blows, as the vessel will get down to the hundred in the night, if the troopes is on board. She may continue down, to the contrary if the troops marching down by land to the hundred to Imbark there the vessel will there be detained to day-light. Another reason that the ground is very wet and the Creeks and water courses full, which will retard the march of the troopes.

Yours, &c.

1794. JOHN JEFFERS TO THE GOVERNOR.

July 21st I am this moment informed that the Executive have thought to order out a part of the Militia of this State for the purpose of enforcing due obedience to the laws thereof at or near Smithfield.

I conceive it my duty as Commanding the Petersburg Light Horse to offer the services of said Troop if you think them necessary and shall be prepared to March the moment this express returns.

I am, &c.

July 22d R. WEST TO THE GOVERNOR.

W. Grove I take the liberty to enclose a copy of an Inquisition lately taken at the Court House in the County of Fairfax in virtue of my office as Escheator.

Upon examination you will discover I apprehend that the Jurors found every fact which is necessary to constitute an escheat, and yet they ultimately concluded against the Commonwealth. Under these circumstances of this case I have supposed it will avail nothing to proceed farther in the investigation of the right the C. W. may have to any property in this County. You will particularly oblige me by obtaining advice of Council in what manner I ought to proceed.

The business at Matildanelk will be commenced again immediately, with redoubled vigor. I can not inform you of the nature of the improvements. Mr. Greenhof & Nicolson have been up; the latter perfectly enraptured with the place. They have both returned to Phil'a after making considerable purchases. Mr. Nicolson bought of R. Graham Kentucky Land to amount of 25,000£. Greenhof bought Crawfords Lands at G. Falls and various other property I believe to amt. of (in compy with Nicolson) to about 79,000£. Among the rest my Pocossen 295 acres at 10£ per acre Virginia currency. Will you be so obliging as to inform Mr. L. Smith that he may rest assured of being paid 26 Guineas in November ensuing, at which time I shall be in Richmond.

I expect to receive by that time as much cash as will pay every debt I owe. Having the means, I shall be promt in that business, and that gentleman has been extreamely polite and proper in his communications upon that subject, which makes me doubly anxious to stand fair with him.

You will never hear, my dear friend, of my losing much money in that way again. Will you be so good as to present me, in a proper manner, to your Lady and children, and believe me to be

Your &c.

J. PENDLETON TO WM. PATTON. 1794.

If there had been —— to have issued any Execs. for your District, you certainly would have rec'd them ere this. July 23d Auditor's office, Richmond

It would detain unnecessarily the Gentleman who brings your letters to give a detail of the situation of the accounts within your District; let it therefore suffice to assure you that whenever Judgments are obtained (which will be attended to with dispatch) for any of the arrears due in your district, Executions will in due time be forwarded to you.

I am, &c.

ROBERT ALCOCKE TO THE GOVERNOR. July 23d

Claiming his right to the Sheriffalty of Madison next to Henry Hill, and complaining of the action of the Court in omitting to recommend him.

Appointment of Justices for Madison by Lieutenant-Governor Wood, February 12th, 1793: James Barbour, William Walker, Henry Hill, Robert Alcocke, William Chapman, Reuben Fry and Merry Walker. July 23d

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Justices of Madison qualified on the 23d day of May, 1793. July 23d

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Henry Hill commissioned sheriff of Madison, gave Bond & qualified May court, 1793. July 23d

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At a Court held for the County of Madison at the house of John Yeager, on Thursday, the 25th day of July, 1793: July 23d

Henry Hill, Robert Alcocke, Wm. Chapman, Recommended by the Court as fit persons to execute the office of Sheriff.

At a Court held for Madison County the 26th day of June, 1794: July 23d

Henry Hill, Wm. Chapman & Jas. Barbour, Recommended as fit persons to execute the office of Sheriff.

1794. Madison County, to-wit:

July 23d Certificate of Jno. Walker, clk of service of Robert Alcocke for ten days as a Justice of the peace, July 11th, 1794.

July 23d Madison County, to-wit:

Certificate of Jno. Walker, clerk, as to service of Wm. Chapman as Justice of the peace, July 11th, 1794.

July 23d Madison County, to-wit:

Certificate of Jno. Walker, clerk, of qualification of Robert Alcocke as a magistrate at first court holden for said county, July 19th, 1794.

July 23d

J. MARSHALL TO THE GOVERNOR.

Smithfield The troop reached this place yesterday morning, between six & seven o'clock. The ship Unicorn (the supposed privateer), was in possession of a company of the Isle of Wight Militia, and the revenue cutter lay below her with a detachment of militia from Norfolk, commanded by Capt. Woodside.

Every idea of resisting with violence the execution of the laws, seems to have been abandoned. Immediately on my arrival, the Marshal made a peaceable request on Capt. Sinclair to allow his house to be searched for arms supposed to be contained in it, which he did not hesitate to permit.

The search was made, and thirteen pieces of cannon, with some ball, grape shot, and powder was found. There were three pieces lying on the shore. A fatigue party is now employed in getting them on board the Unicorn, after which the cutter will conduct her to Burmuda hundred, or to Brodway. I despatched a boat yesterday morning, to stop the vessel which was proceeding down James River with the companies of artillery & Infantry from Richmond, and directed their return. I also ordered Capt. Weisiger to return with the infantry of Prince George, but as the marshal entertains some apprehension of an attempt to rescue the vessel in the river, I thought it advisable to countermand the orders I had given, & direct Capt. Wiesiger to continue his march to this place, with a view to his return in the Unicorn.

The situation both of Major Taylor & of the Marshal has been arduous & unpleasant. The Marshal has received personal insult, and seems not to have been free from personal danger. Major Taylor has used great and proper exertions to complete the business he was upon. He at first, experienced great difficulty in procuring aid of any kind, but that difficulty is now removed. Since the arrival of distant militia,

1794. July 23d

those of the county are as prompt as could be wished in rendering any service required from them. Indeed, I am disposed to believe that the original difficulty rested not with the men.

The privates (except those residing in Smithfield) have manifested no disaffection to the Government, or reluctance to support the laws. But of this, & of every circumstance which has occurred, Major Taylor & the Marshal have taken memoranda, & an ample report will be made to you so soon as they shall return to Petersburg.

Captain Sinclair declares that he never designed to violate the laws; that the arms found in the house were not intended for the Unicorn, but were purchased for a gentleman to the Southward; that the ball will not fit the cannon; and that though she was originally designed for a privateer, the intention was changed so soon as the act of Congress prohibiting vessels to be armed in our ports was known; in proof of which he says that a cargo is now engaged for her. These, however, are subjects proper to be discussed in court.

I am sorry to say that the Surveyor of the Post, who is considered here as the informer, seems to entertain great apprehensions from some of those who considered themselves as interested in this business. The vessel will, I trust, be ready to sail to-morrow, and I shall then set out with the troops for Richmond.

With very much respect, I am, &c.

SAM'L COLEMAN TO THE GOVERNOR. July 24th

Richmond

The death of the servant heretofore hired by my father to assist him in keeping the Capitol in order will plead my excuse in seconding his request, that you will be so good as to define particularly his duty.

The resolution of the General Assembly under which the former keeper was appointed is in the following words:

"Resolved, That the Governor be requested to take under his care during the recess of the Assembly the public buildings; that he employ some person to take chargo of them, and that he suffer no person to live in them, or to use them as stores, except for public property."

This resolution was entered into the first of January, 1785, and it is for your Excellency to say how far it applies to the Capitol and a person necessarily charged with its care by your appointment.

I beg leave to remind your Excellency of Mr. Minor's request respecting the roof of the Capitol, communicated in a former letter,

And have, &c.

[illegible] 1784.

[illegible] Sep. [illegible]

[illegible] Court [illegible] Prince Edward [illegible] Court [illegible] Prince Edward [illegible] Court [illegible] Prince Edward [illegible]

James Moore made oath in Court as said, that he with others went to attend a person who had taken up Absalom Hudson from the house of Peggy Howell, in Charlotte County, that on the night of the eighteenth of May, they apprehended Thomas Stewart in the house of one Winslow, in Prince Edward County, from whence they conducted to Mr. Isaac Coles's, where the people of that county. That on their committing the said Thomas Stewart to Mr. Coles, he was discharged by the Justices, except the number of sixty Absalom Hudson citizens, who mentioned the Jeopardy, that on the night of the twentieth of June last, he the said Thomas with a certain James Stewart came near to the house where the Mulatto lived; that James Stewart sat, the said Thomas with the horses at some distance from the house, while James Stewart went in the house and bring out the children. That James Stewart came after returned to him, and that they then advanced towards the house and met a man standing in the road with the children, who said his name was John Lavens and that Stewart asked the man whether he would sell the negroes who replied that he would, that he owed Stewart something that was all past to which Stewart paid him. That Lavens gave Stewart a piece of paper which he called a Bill of Sale, and that he the said Thomas put his name to the paper as witness but it was so dark he could not read the paper. He then took care of the negroes behind him and James Stewart the eldest and conveyed them to the house of James Fulkerson, on the Roanoke River from whence the said James Stewart took the said Children, with an intention to sell them, and with a promise to return to the said Thomas to pay him his part of the money. This Deponent further said that a like confession was made in presence of Mr. Coles, and that no threats were made use of to extort a confession.

Be it remembered, that at this day came Beasley Hart, Thomas Moore, James Moore, Archibald Campbell, Taylor, Richard Boulden, Reuben Traynam, and William Stewart, and acknowledged themselves severally indebted to Henry Lee, Esquire, Governor of the Commonwealth of Virginia in the sum of one thousand dollars each, of their repective goods and chattels, lands and tenements, to be levied, and to the said Henry Lee and his successors, for the use of the Commonwealth rendered, yet upon this condition nevertheless, that if the said Beasley Hart, Thomas Moore, Archibald Campbell, James Moore, Richard Boulden, Reuben Traynum, and William Stewart, shall make their personal appearance before the District Court to be held at the Courthouse in the County of Prince Edward, in September next on the first

July 20th. day of the said court then and there to give testimony for the Commonwealth against Thomas Stewart committed on suspicion of feloniously stealing Peter Vasey and Emmit Barker children of Peggy Howell a free mulatto and not depart thence without leave of the said Court then this recognizance to be void else to remain in full force and virtue.

The Court directs that the attorney prosecuting for the Commonwealth in the District Court give directions to summon James Sergeant. Richard Sergeant. Livinia Townes. Benjamin Long. overseer for Stephen Stewart, of Halifax county. as witnesses for the Commonwealth against the prisoner.

Ordered, That the clerk certify to His Excellency the Governor. that Thomas Moore, Jr. is the person who apprehended and secured in the Jail of this county. Thomas Stewart who appears to be an associate with a certain James Stewart of the State of North Carolina in stealing and taking away the two mulatto children of Peggy Howell of the said County.

A Copy—Teste:

THOMAS READ. Cl'k.

July 24th. WILL BOYCE TO THE GOVERNOR.

Surry county On my arrival from Baltimore the 23rd Inst., I rec'd the pleasing news of an armed force having, by your order, arrested a ship from a man whose conduct for some time passed we have too much reason to fear has been repugnant to the proclamation issued by our dear and worthy President, and now an open violation to the laws of the Union.

I am also informed that Capt. Sinclair denies any hostile Intention in runing said Ship. I think it my duty to give every information in my power to bring such offenders to condign Punishment. About the 8th or 9th Inst. I was in Mr. Jesse Hollingworth's warehouse in Baltimore, where I saw Capt. Wm. Gurton (who commanded a schooner belonging to Capt. Mallory Todd of Smithfield) receiving a quantity of round shott of various sizes. I observed that it had the appearance of war; he replied yes, that it was going to Capt. Sinclair for a Ship he was fitting out for a Privateer at Smithfield. Should Capt. Gurton be called on, it's probable he will throw some light on the matter that may be of use. It's much to be lamented that we have men in high Offices who connive at abuses committed before their eyes against the Laws of the Land; but none are so blind as those who will not see, and such, I fear, study popularity more than the true Interest of their Country. But it's pleasing to see that we have characters yet in the State of Virg'a who have not forgotten the Duty they owe to their Country (which they learned in their late struggles for American Liberty) and which they fail not to manifest in cases of emergency.

From my very low State of Health I can not expect to survive many years, but while I do live I shall glory in beholding the prosperity of the American Union, & her laws preserved inviolate, indulging the pleasing hope that when I am gone the rising Generation will enjoy the blessing of Peace. 1794. July 25th

With sentiments of the highest esteem, &c.

SAM'L COLEMAN TO THE GOVERNOR. July 26th

Soliciting of the Board increased compensation for the Keeper of the Capitol. Capitol

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WYATT COLEMAN TO THE GOVERNOR. July 27th

Report of the condition of the Capitol and need of repairs.

GOVERNOR LEE TO THE SECRETARY OF WAR. July 28th

It is with real concern I communicate a daring attempt lately made at Smithfield to resist the execution of the laws among a people always distinguished for the most respectful obedience to legal authority. Events of this sort excite universal attention, and I trust will receive universal detestation.

Deeply as I regret this wound to the fair fame of my country, I derive great satisfaction from my conviction that most of the men engaged in this wicked effort, cannot be properly considered citizens of Virginia.

For the President's information, I have thought proper to enclose copies of my letters which relate to the transaction, from which he will readily understand, as well the measures adopted as the motions which led to their adoption.

The expenses which have accrued will be brought into account against the General Government and transmitted to you for payment, which I doubt not will be immediately discharged.

The zeal, love of order, and determination to support the civil authority, which animated the militia in every quarter, manifests in the strongest colours their sense of the indignity offered to their Government, and affords the happiest presage of lasting internal tranquility to our Commonwealth.

The Lieutenant-Colonel commanding of Isle of Wight and a few others with him, from every information I have as yet received, must be excepted in this just compliment to my fellow-citizens. Their conduct will undergo a particular enquiry.

[illegible] I am very much indebted to Brig. Gen. Marshall and to Major Taylor [illegible] for their exertions in the execution of my orders, and I have the pleasure of testifying that great credit is due to the Marshall of the District and the Sheriff of Smithfield for their ready assistance under circumstances as trying as they were unpleasant.

July 26th. J. Marshall to the Governor.

Richmond. The troop of Cavalry ordered to Smithfield returned yesterday. A longer time than I had supposed it was necessary to carry on board the different articles ordered and to move the Unicorn and this has protracted a delay more considerable than was expected. She is now on her way to Bermuda Hundred guarded by Capt. Weniger with his company of Light Infantry, and attended by the Revenue Cutter. The additional expence of escorting Capt. Weniger's company in the Unicorn is very inconsiderable, and is incurred at the request of the Marshal who did not think her safe unless guarded by armed men. His apprehension of a rescue seems to have arisen in some measure from reports prevailing in Smithfield, and received in a manner deserving some credit, tho' not so as to be testimony, but principally from the coldness and decision of Capt. Sinclare's character from the high degree of irritation he manifested, and from the well known total inability of the Cutter to afford any effectual aid in case of attack. Captain Sinclair declares his perfect submission to the laws, and avers that he had never meditated resistance to them. There were, however, strong circumstances which might readily induce an opinion that violence was contemplated. The night after the Unicorn was seized, persons were heard for a considerable time loading fire arms in the house of Captain Sinclare. The drawing of iron ramrods, and ramming down the charge were distinctly heard. When the search was applied for, which I mentioned in my former letter, he gave a list of the arms in his possession, and among them were fifteen muskets. These were found all charged. The situation of the house is such as completely to command the Deck of the vessel. I do not think that one hundred men placed in the vessel could have protected her ten minutes from fifteen placed in the house, and at this time, notwithstanding the application to Colonel Wells, and the exertions of Major Taylor and the Marshall in Smithfield, only a guard of six or seven badly armed men had been raised.

Captain Sinclair says that the only resistence he ever contemplated was against an unauthorized attempt, which he understood was to be made to search his house. This may be the fact, but it would scarcely seem to be so, since it was not unknown to him that the only search ever designed was under the warrant of a magistrate, which was applied for, but not obtained. This circumstance, added to the evidence that

the vessel had been designed for a privateer did I not make such an impression on me that I should not the Marshal requested a increased the guard. I had while in Smithfield frequent conversations with individuals of the Isle of Wight. So far as I can judge of their sentiments from their expressions I am persuaded that they feel no inconsiderable degree of mortification that a necessity should exist for calling militia from a distance to their neighborhood to protect from violence the laws of our common country and I am persuaded too that this sentiment will so affect the commanding officers as to secure more activity from them on any future occasion than has been exhibited on this.

They seem not to have been sufficiently impressed with the importance of maintaining the sovereignty of the law: they seem not to have thought it a duty of strong and universal obligation to effect this object, but I do believe that a more proper mode of thinking is beginning to prevail.

The militia on duty have so acted as not to have produced among the citizens, so far as my information extends, a single murmur.

The cheerfulness with which the troop submitted to labour not usually imposed on Cavalry, does them much honor.

It is with great regret I mention an accident which befel one of the Prince George Infantry. The Unicorn almost touched the land. The company from Prince George was on board and was ordered neither to go on shore, or to permit any person from the shore to come on board the vessel. A militia man who had stolen out, attempted to return, and on being hailed by the sentinel attempted to rush by him without an answer. It was so extremely dark that the person could not be distinguished, and the sentinel at the same time pushed with his bayonet and attempted to fire. The rain which had fallen fortunately prevented the discharge of the musket, but a dangerous wound was received from the Bayonet. Dr. Crawford of the Richmond troop, with great humanity dressed his wounds and attended him through the night, but could not procure a probe to ascertain its depth.

I will send you to-morrow an account of the monies expended by me on the expedition.

With very much respect & esteem, &c.

R. QUARLES TO THE EXECUTIVE.

July 28th

Barracks

The Garrison at this place is likely to be considerably harrassed by the militia officer in whose District it stands. Under a presumption that neither the Guard, nor artificers, are Exempt by Law from attending his musters, he has enrolled them, and will consequently subject them to the inconvenience of attending his musters or be considered as

1794. July 28th delinquent. It appears to me, that the Laws of 92 & 93 respecting the militia expressly consider the Guard at this place as Militia in actual service, and consequently, whilst in that service exempt from all other military duty. The artificers I consider as very differently situated, & for their Exemptions must wait your interposition.

Under the Idea that your Honorable Board will be struck with the impropriety of the Public artists, who are employed on yearly wages, being interrupted in their Labors by the necessary calls of the militia, I shall disregard all militia summons until I can receive your instructions respecting both descriptions of persons at this place.

My Letter respecting the purchase of musket Locks have been submitted to the Board, and until I can know their decision, I shall feel myself somewhat at a loss how to act.

I have, &c.

July 28th Application of Rich'd Merritt and other artisans at Point of Fork to be allowed Rations for their wives.

July 28th MEMORANDUM FOR THE GOVERNOR BY R. QUARLES.

Wants instructions as to Musket Locks and whether the artizans shall draw rations for their wives.

July 29th JOHN BECKLEY TO THE GOVERNOR.

Clerk's office of House of Representatives of United States

In obedience to an order of the House of Representatives, I have the honor to enclose here with three copies of the journal of their proceedings during the late session of Congress, one for the use of the Supreme Executive, and one for the use of each branch of the Legislature of the State over which you preside.

With great consideration, I am, &c.

July 29th THOMAS WALKER TO THE GOVERNOR.

Princess Anne county

I have the honor to enclose your Excellency recommendations of the Court of Princess Anne of officers to fill up the vacancies that have taken place in the militia since their last recommendations. I also take the liberty of enclosing you a return of the 20th Regiment in order to show you how deficient that regiment is in arms and accoutrements.

This deficiency added to the obvious necessity of our being well

armed (being a frontier county and unprotected on our extensive sea-coast, which renders us too subject to the incursions and depredations of any piratical privateer that may choose to invade us), induces me to request the Executive to furnish said regiment with 300 stand of good muskets and as good accoutrements as can be conveniently spared from the public magazines. 1794. July 29th

Your Excellency will also permit me to remind you of our perilous situation, not only from our being vastly accessible on our sea and bay shores, but if Norfolk should be invaded, we should in all probability be the first people directed to its protection from our proximity to that place; and unless we are well armed, we can neither defend ourselves at home nor lend our aid to our neighbors at Norfolk. These considerations as well as some others, such as insurrection, &c., I hope will induce the Executive to grant us the arms and accoutrements necessary for our defence. If we should be indulged with them, I should be glad to get them as soon as convenient.

I have, &c.

H. KNOX, SEC'Y OF WAR, TO THE GOVERNOR. July 30th

I have received your Excellency's letter of the 22nd instant. The sum destined for the fortifications of Norfolk, exclusively of the Artillery but including the purchase of necessary grounds, amounts to Six thousand seven hundred and thirty-seven dollars and fifty-two cents, which would appear by Mr. Rivardi's representations to be sufficient, provided the grounds shall not cost much. War Department

The money will be furnished by the Treasury as fast as it shall be required. I have requested the Secretary of the Treasury to enter into immediate arrangements for purchasing the grounds, which shall be reported by the Engineers as indispensible; and I have also written to the Engineers to make the report immediately.

I hope the outrage you mention will have been repressed by your laudable decision. An open and violent resistance to the laws has taken place in the western part of this State, which, while it will exercise the Government, it is to be hoped may be terminated without establishing any pernicious consequence.

I have the honor, &c.

SAMUEL COLEMAN TO ——— Aug. 1st

Directed by the Executive, I have the honor to acknowledge the receipt of your letter of the 19th ultimo, covering returns of the Battallions composing the Regiment of Militia under your command. I enclose for Richmond

1794. Aug. 1st. the information of the Officers of your Regiment, in behalf of the Adjutant General, blank returns, as forms which are hereafter to govern, and the course of these returns, according to Military usage, will be from the Captains to the Majors, from the Majors to the Commandants of Regiments, who will please to make their Regimental returns to the Brigadier Generals, or their Brigade Inspectors, who will respectively make their Brigade returns to the Major Generals of their Divisions, who will direct their Division returns to be made to the Adjutant Gen'l or his Representative at the seat of Government.

At present, Mr. Morgan, the Adjutant General, has no representative at this place, but the business which of right belongs to his office necessarily done here, has been executed by me.

Permit me, sir, as an individual to use this opportunity of paying that tribute of thanks which are so justly due to you, for your patriotic exertions in the late general Legislature, and to assure you, sir, that the perfect establishment of your health, by which you will be enabled with more vigor to preserve your country's best interest, will afford the highest satisfaction to, sir,

Your, &c.

Aug. 2d JOHN HAGUE, ROBERT ALLYN AND JOHN LESTER TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Richmond In complyance with your request that we should ascertain the value of the service rendered by sundry vessels in transporting the Militia from this place to Smithfield, by order of the Executive, are unanimously of the opinion that the value of the Sloop, Molley, Burthen, 29 63–95 Tons, with Master and three hands, is 30s. per day,

The Schooner two Sisters, Master and one hand, burthen, 16 Tons, 16s. 2d. per day.

The Schooner Active, Burthen, 21 25–95 Tons, Skipper & two hands, 21s. 3d. per day.

Proclamation by the Lieutenant-Governor of the Commonwealth of Virginia:

Whereas, I have received information that a pestilentious or contageous disease prevails in the West Indies, and it is probable that the same may be brought into this Commonwealth by vessels arriving from the port of New Orleans on the Mississippi, or from the ports situated on the Spanish Main. For prevention of so great an evil, I have thought fit by and with the advice of Council to call upon the respective Superintendants of Quarantine at the several ports of entry and delivery in this State to be particularly vigilant and attentive to the duties of their Office in this time of danger; taking care to demand of all Masters

of vessels coming from the West Indies, or any of the aforementioned places, before they enter port a declaration, according to law, as to their health, &c., &c., and if, upon examination, it shall appear that any vessel ought to perform Quarantine, the said Superintendants will immediately order such vessel to make her Quarantine at the anchorage ground off Crany Island, near the mouth of Elizabeth river, for the space of twenty days. 1794. Aug. 2d

And I do hereby strictly enjoin and require, that until such vessel shall be discharged from such quarantine, all persons coming, or goods imported in such vessel, come not on shore, or go on board any other vessel, or be landed or put into any other ship, vessel or boat, in any place within this Commonwealth. And also, that no person go on board any vessel ordered to perform quarantine, without license first had and obtained in writing under the hand of Thomas Newton, Jun'r, Esq'r, of the borough of Norfolk, who is hereby authorized and appointed to see such quarantine performed. And all pilots are hereby desired to give notice to the before mentioned superintendents of the arrival of all vessels from the West Indies or any of the aforesaid places, in order that they may be duly examined.

Given under my hand as Lieutenat-Governor, in the absence of the Governor, and under the seal of the Commonwealth, at Richmond, this 2d day of August, in the year of our Lord one thousand seven hundred and ninety-four.

JAMES WOOD.

At a court held for New Kent county the 2nd day of August, 1794, for the examination of Ben, a negro man slave, said to be the property of Mary Wilsford, on suspicion of Felony and Burglary: Aug. 2d

The said Ben was brought to the bar in custody of the Sheriff, and John Dandridge, prosecutor for the Commonwealth, exhibited the following indictment against him:

That Ben, a negro man slave, the property of Mary Wilsford, on the 21st day of June, 1794, feloniously and burglariously did break into the mansion-house of Sarah Staughter, in the county aforesaid, and did then and there feloniously take and carry away forty pounds weight of bacon, one pound of butter, one pair of linen trowsers and one tin measure, of the value of 40s. current money.

Whereupon it was demanded of the said Ben whether he was thereof guilty. He said he was in nowise thereof guilty: Thereupon the court proceeded to examine the witnesses, and the prisoner was heard in his own defence; on consideration whereof, it is the opinion of the court that the said Ben is guilty of the felony and burglary in the indictment mentioned, and that for such, his offence, he be executed on Friday, the 5th day of September next.

1794. Aug. 2d — The said Ben is valued by the court at the price of one hundred pounds, and the said Ben is by the unanimous voice of the Court recommended to his Excellency, the Governor, as an object of mercy.

A copy—Teste:

WILLIAM CLAYTON, C. N. K. C.

Aug. 4th

H. KNOX TO THE GOVERNOR.

War Department — Your favor of the 28th of July was duly received, containing an account of the wise and vigorous measures which you directed to suppress the illicit Privateer which was fitting out at Smithfield. The President receives with great satisfaction this information, and he has directed me to express the same to your Excellency.

I am, &c.

Aug. 4th

MAJOR G. K. TAYLOR'S REPORT TO THE GOVERNOR.

Petersburg — Having at length accomplished the object of my mission to Smithfield, I do myself the honor of detailing to you the circumstances which occurred to the Marshal and myself during our stay in that place.

In obedience to your orders, dated the seventeenth day of last month, I set out for Smithfield with the marshal, and arrived at that place on the nineteenth. The first object after our arrival, was to ascertain from some person in whose information we might confide, the situation of the ship, and the probability of Captain Sinclair's resisting the Marshal in the execution of his duty. For this purpose (as it was deemed prudent that the Marshal should not at once appear in public, lest it might excite an alarm and put Sinclair on his guard), I waited on Mr. Copeland Parker, the Surveyor of that port, who alledged that the ship was equipping for the purpose of privateering, and informed me that from the bold and enterprizing disposition of Sinclair, as well as from the expence he had incurred, a passive relinquishment of the object was scarcely to be expected. On this account, it was deemed expedient forthwith to deliver your letter to the commandant of Isle of Wight County.

I waited on that gentleman with the letter on the same day at 10 o'clock in the morning, and required him to furnish a Captain's guard by six o'clock in the afternoon; at which time it had been concerted that the Marshal should take possession of the ship. The letter he received with a coolness bordering on indifference, and, after some short

time, said that he would give the necessary orders to Major Benn, who resided three or four miles from Smithfield, but feared it would be impossible to furnish the men by the time appointed; and, at length, declared that as his boy was out of the way, he did not know how to contrive his order to the Major. Although I conceived it to be rather his duty than mine to convey his commands to his inferior officer, yet that the business might not languish from a cause so easy to be removed, I undertook to forward his letter, and accordingly dispatched a messenger with it to the Major. 1794. Aug. 4th

In this situation matters remained til about two o'clock, at which time no Militia man had appeared, and no answer had been obtained from the Major. In the mean time, I had understood that this Officer did not command the Battallion of which Smithfield and its neighborhood constituted a part, and reflecting that orders transmitted from the Colonel to his Major, and from the Major reverberated to some distant Captain, would not be complied with in due season, and expecting that Sinclair had by some means been apprized of the arrival of the Marshal, he might, unless the ship was seized that evening, carry her out of our reach before the next morning. I supposed it necessary to be explicit with the Colonel, and therefore wrote him a letter of which a copy accompanied this marked (A). This letter the Marshal was so obliging as to deliver himself; and shortly afterwards the Colonel visited me in great wrath, and delivered me in person the laconic answer, marked (B), at the same time informing me that he had, in consequence of my letter, ordered Lieutenant Johnson of the Militia from Smithfield and its immediate neighborhood, to summon his company to our aid. Accordingly, about four o'clock in the afternoon, Lieutenant Johnson appeared, and with great assiduity applied himself to summoning the inhabitants of Smithfield, and I wish that an adherence to truth would permit me declare that their alacrity in performing their duty was seconded by his industry. So far, however, was this from being the case, that at six o'clock, the hour appointed by the Marshal for seizing the ship, he mustered only two men armed with indifferent fowling pieces, & eight or ten others perfectly unarmed.

At the head of this band, I advanced armed with a pair of pistols and followed by the Colonel unarmed to the relief of the Marshal, who had according to agreement, precisely at six o'clock, taken possession of the Ship, arrested Captain Sinclair, and ordered him and the workmen from on board her. Those, on my nearer approach I found highly exasperated, standing on the wharf to which the Ship was bound, and notwithstanding the appearance of our detachment, & of its Colonel who followed it, threatening to cast the Marshal overboard if Captain Sinclair would only give the word. The Captain himself entered into a warm altercation with the Marshal, and declared that on the succeeding Monday morning his workmen should resume their occupations on board the Ship. At length, he retired and his men followed the example, after

1794. Aug. 4th

having indulged themselves with uttering a profusion of menaces and abuse.

Situated as we were, we thought it advisable to endeavor to obtain arms for those men on board the Ship who had them not, and for this purpose, the Marshal and Lieutenant Johnson went about to different stores and houses in the town, leaving the Ship and guard in my charge. After the most strenuous exertions, they obtained an addition of five or six guns, so that at ten o'clock at night we mustered seven or eight men in arms.

During the greater part of this night we plainly perceived sentinels armed, stationed on the bluff which commanded the Ship and observing all our motions and operations. As from this circumstance, from the gestures and menaces of the workmen, and from our own weakness, we supposed it not impossible that an attempt might be made during the night to resume possession of the Ship, and as we understood that the Colonel was in habits of great intimacy with Captain Sinclair, we determined to keep him on board all night, supposing that as during the darkness which there prevailed he would be equally exposed with any other person on board, to the mischiefs, which must have ensued in case of attack. Affection for him might prevent them from doing what we feared respect for the laws would not deter them from attempting.

As Captain Sinclair had, as I understood, before refused to permit his lumber houses to be searched, the Marshal had, during his absence in pursuit of arms, applied to a Magistrate of the County for a warrant to search those houses for the apparel, ammunition and arms, which he had every reason to suppose to be there stored. This the gentleman to whom he applied, from an excess of caution and a fear of transcending the bounds of his duty, declined to give. The idea of a search, therefore, was for the present abandoned. But Captain Sinclair having, by means which we can only suspect, been apprized of the application, came in great wrath about half-past ten o'clock at night alongside of the Ship, attended by a certain William Malcolm, informed the Marshal that he had heard of his having applied for the warrant, and said that he would repel any attempt to search his houses by force, and that he would kill the first man who should approach them; at the same time declaring that he could raise fifty men sooner than we could. While he was thus haranguing, his companion, who was armed with a sword, and as we afterwards found with a pistol, exercised the former weapon in a very outrageous manner, and contrived by accident, we presume, to prick one of our guards with it. The man, irritated at the assault, would immediately have shot him dead, if he had not been prevented by the Marshal, who at the same time endeavoured to wrest Malcolm's sword from his hand. This he effected with the assistance of the Colonel, who, to my utter astonishment, immediately after declared that the sword was his. To have seen the Commandant of the

County during all the former part of the night, amidst the confusion and uproar of the scene, tranquil and unarmed, appeared curious, to have afterwards found his sword in the hands of one of our bitterest foes roused sensations, and suspicions which may be easily imagined, but which, as they may possibly be groundless, I shall not detail. 1794. Aug. 4th

Malcolm, when disarmed of the sword, retired from the side of the Ship, and then displaying his pistol to our view, declared, with much heroism, that he would discharge two balls through the head of any person who should attempt to obtain possession of that weapon. We afterwards understood that while the Marshal was attempting to take the sword from him, he elevated his pistol either against him or the man whom he had previously wounded; and I can not but conceive it to have been a fortunate circumstance that this manœuvre was not generally seen, as I certainly should have thought it a justifiable deed, in protection and defence of the Marshal, to have deprived Malcolm of his existence. Having been able, after so long a warning, to obtain seven or eight armed men, and having been subjected to so many indignities, seeing plainly from the deck of the ship that the loft of one of Sinclair's warehouses, within fifty yards of us, contained a number of armed men, who from a door on the side next to the ship observed whatever we transacted on board. Knowing, too, that the force furnished us by the Colonel was inadequate to repel invasion, and suspecting that his future exertions would keep pace with his former, we abandoned all idea of succour from Isle of Wight County, and determined to seek it elsewhere. For this purpose, the Marshal wrote to the Collector of Norfolk, requesting that the Revenue Cutter be sent up to him, and I conceived myself warranted by the circumstances of the case, in requesting General Mathews for a detachment of men from that place. These letters were written about half-past ten o'clock at night, and an express was immediately dispatched with them, We then wrote you an account of what we had done, after which we returned to the ship and remained on board her during the night without closing our eyes.

The next morning as the Marshal remonstrated against the sufficiency of the guard I determined to make another effort on the Colonel, and pressed him for more armed men, and his exertions this day produced twenty-four armed men, who guarded the ship the ensuing night.

This day likewise, to my great surprise, I learned that the day before, when I delivered your letter to the Colonel and required from him the guard of the Ship, a Captain Young's Company mustered within three miles of Smithfield; that of this Company eighty men were present, thirty of whom were armed, and that the muster was matter of notoriety, as a barbecue was that day given to the men.

At dinner we were insulted by the conversation of the same Mr. Malcomb, who had behaved so indecently the preceding evening. He declared that he could raise fifteen men who should drive all the militia

1794. Aug. 4th

that could be raised in a fortnight; that he would retake the ship, if ordered, and that he would kill two men before he quitted the town—immediately after naming Mr. Copeland Parker as one of them, and plainly intimating that the Marshal was the other. As our business in Smithfield was of a public nature, we thought ourselves under no necessity of resenting the expressions of an individual, nor at any time should we have dignified with resentment such a character as Malcomb's. But Lieutenant Johnson, who was at dinner with us, could not so easily brook this behaviour. A quarrel ensued between him and Malcomb. He drew a pistol—Malcolm a case knife; and these weapons were flourished on either side over the heads of the Marshal and myself who sat between them at dinner. As it was impossible to continue that meal during such a scene, we arose and prevailed on Johnson (who had now put away his pistol, and brandished another knife in order to fight his antagonist on more equal terms,) to give over the idea of a personal contest. Soon after, the Marshal, with my advice and concurrence, swore the peace against Malcomb as a wretch from whom he was in danger of assassination: in consequence of which, he was that night arrested; when the Colo. and another person, whose name I do not now recollect, became securities for his good behaviour.

As in the course of this day an attempt had been made by two of Sinclair's men to take away a batteau, which we had found near the ship when she was first taken, which attempt I was contrained to repel by force, and as we supposed that similar attempts might be renewed during the night, and that Sinclair might the next morning endeavor to carry into effect his threat of the preceding evening, that his workmen should resume their operations on Monday morning, we determined to place centinels near his lumber-houses, who might at once guard the articles on the Strand, prevent others from being conveyed from the houses, and alarm the men on board in case of the approach of an armed party. At the same time, we gave express orders to the officer who commanded, that no person should be permitted to approach the ship on the strand who could not give the countersign. The first man stationed near one of the houses informed us, that immediately after he was placed there, he distinctly heard the people in the loft load a number of muskets. Hence it would appear that they apprehended an attack during the night, and meditated a vigorous opposition.

On Monday morning at nine o'clock, our express from Norfolk returned, bringing a letter from the Collector to the Marshal, and another from General Mathews to myself. These letters informed us that the cutter was ordered to Smithfield, and that the General had put on board her a Subaltern and twenty-five men, who were to be subject to my orders. About half-past ten, Lieutenant Lurtie of the cutter, and Lieutenant Woodside, who commanded the Norfolk detachment, arrived, having landed some distance below the town, and the cutter with the rest of the men came up the same afternoon.

About twelve o'clock we went on board the ship, where we found the Colo. commanding in person, and where we likewise found the same Mr. Malcomb, who had before treated us so cavalierly. This incorrigable, audacious man, altho' so recently bound to good behaviour, could not refrain, even in the presence of his security, from insulting the Marshal by his gestures tho' he had the prudence to restrain his tongue. At the same time, one of those carpenters who had threatened to throw us overboard appeared on the deck of the ship, and in an insolent manner demanded his tools. Insulted thus in the very place where a guard was stationed to protect him, the Marshal remonstrated to me on the subject, and Mr. Malcomb and the carpenter were ordered to depart. 1794. Aug. 4th

Instead of seconding these orders, the Col. entered into a justification of Mr. Malcomb's conduct, observing that he had given security to be of good behavior, and therefore had as much right on board the ship as any other person. This produced an altercation between the Marshall and the Col., in which the former in terms by no means equivocal, expressed to the latter his disapprobation of his becoming Malcomb's security, and the evident conclusions which he drew from their great familiarity.

The Marshall's remonstrance was afterwards, at my request, put on paper, and will be found in the papers annexed marked C. In consequence of the remonstrance, and what I had myself observed, orders were given that no person except the Marshall, the Col., myself, and the guard on duty should come on board without a passport signed by the Marshall and myself.

This day, in a letter to Col. Wells, I suggested to him that on my first arrival I had demanded a Captain's guard, and requested that when it should be complete he would be pleased to inform me of the circumstance. To this letter I received no answer, nor did the Col. during my stay in Smithfield inform me that he had fully complied with the requisition.

Between four and five this afternoon, an ensign and four mounted infantry of Captain Weisiger's company arrived. Their arrival, and the idea that they were the van of a more formidable party, evidently communicated an alarm and panic to Captain Sinclair's party. One of the carpenters in particular, whose courage had been excited, and his wrath inflamed when the ship was first seized, now with every symptom of consternation and affright, solicited and obtained the indemnity and protection of the Marshall.

As I supposed that the feelings of the militia of Isle of Wight county were galled at the sight of soldiers coming from a distance to do what they were competent and had been first called on to perform, I determined by no means to increase the irritation. In my orders therefore to Lieutenant Woodside of the Norfolk, and Ensign Harrison of the Prince George militia, I directed them to consider themselves as under the command of Col. Wells, to whose countymen too, now become jeal-

1794. Aug. 4th

ous of their reputation, I continued to entrust the care of the ship. The Col. likewise beginning to discover that his want of alacrity in the beginning might furnish cause for censure on his conduct, became now extremely alert, and declared that this night he would command the guard in person; a disposition which I by no means endeavoured to restrain or repress.

At about ten o'clock this night, I received your letter by express, informing me of General Marshall's approach, and the next morning, (Tuesday) the General arrived at the head of the Richmond Cavalry. On his arrival, every trace of opposition vanished, and some of the most violent and turbulent of our opponents were no more seen; particularly the Mr. Malcomb, of whom mention has been so often made, and a Captain Blaney, who had before been extremely active in attempting to irritate the minds of the people against the Marshall. From this time, by the politeness of the General, and the attention of a few of the towns people, friends of order and of government, our time glided away with a serenity proportionate to the turbulence we had before experienced.

The Marshal this day waited on Captain Sinclair, and demanded the keys of his lumber-houses. These the Captain offered immediately to surrender, observing that he would have given them up before, if the application had been more properly and more civilly made.

The keys were taken and search was made, when a number of sails, and a quantity of other materials for rigging ships, with sixteen pieces of iron cannon, fourteen or fifteen muskets, and a number of four pound and grape shot, and about fifteen hundred pounds of powder were found. Of the muskets several were loaded, and some cocked when they were taken.

The Militia of Isle of Wight County on duty, began this day to complain that while the Militia from distant parts remained idle, the laborious part of the duty was conferred on them. In order to efface these impressions, General Marshall directed that the Richmond Cavalry should the next morning compose a fatigue party, for the purpose of carrying on board the ship, the various articles prepared for her equipment, a duty in high degree laborious, but which I take pleasure in declaring, was executed with the utmost alacrity and cheerfulness. Indeed, the whole conduct of this corps while at Smithfield, was such as to inspire all who saw them with a respect for their discipline, and an admiration of their subordination. By their exertion, all the articles were put on board except the gun powder, which it was thought unsafe to ship until the moment before our departure.

On Wednesday morning about 10 o'clock, Captain Weisiger's Company of light infantry arrived, and being designed by the General to guard the Ship up the river, they were the same evening sent on board her. From this time, they exclusively guarded the Ship, and Col. Wells ceased to be goaded by my importunities & requisitions.

On Thursday, the gun-powder was embarked, and the Ship warped into the stream. As Sinclair had the day before gone down in a boat to Norfolk, and a current report prevailed that he intended to raise a body sufficient to retake his Ship, positive orders were given to the infantry to suffer no person during the night to come on board who could not give the counter-sign; an order which was so punctually observed, as to be nearly fatal to one of the men! For he having either never received the word, or having forgotten it, retired from the Ship at a time when neither of the centinels on duty observed him. On his return, just as he was attempting to get on board, he was observed, stopped and challenged. Being unable to give the word, he still endeavored to rush on board, from a supposition that he was known and would be permitted to pass; but was stopped by the bayonet of the centinel which severely wounded him in the left breast near the shoulder. The depth and danger of the wound compelled us to leave the man in Smithfield under the care of a physician whom I employed to attend him. 1794. Aug. 4th

On Friday morning, General Marshall with the Richmond Cavalry, departed from Smithfield, and the same day we weighed anchor with the design of getting out of the Pagan Creek. This we accomplished the succeeding Sunday, after a vast deal of trouble and labor, and the same day began our voyage up the river to Bermuda Hundred, where we arrived on the succeeding Friday morning.

I should be wanting in justice to Captain Weisiger's Company, if I did not, in the warmest manner, mention to you the patience and alacrity with which they encountered the daily fatigues which they experienced. It is paying them no compliment to declare that without their aid the Ship could scarcely have been got out of the Creek, as by their exertions they frequently dragged her through beds of mud, in which she otherwise would have stuck.

Lieutenant Johnson's conduct was such as to entitle him to our approbation.

Thus, Sir, I have finished a detail, which, I fear, is in many instances unnecessarily prolix and minute. I have been the more circumstantial in my narrative, because it is obvious to everybody that a want of energy somewhere existed; and because I wished a full and fair relation of facts to attach the blame to the proper object.

I have, &c.

P. S. In justice to Colonel Wells, I refer you to a certificate which he delivered to me before my departure from Smithfield, and which you will find enclosed marked (D).

A.

Sir,

The present call for the militia is so urgent and the directions of the Governor so explicit, that every possible exertion ought to be made to furnish the required number of men this evening. At the same time

1794. Aug. 9th

we are yet ignorant whether the instructions you have issued to your Major have reached his hands: and further I understand that the militia of this town and its immediate neighborhood are not under his command.

Situated therefore as matters are, I have to desire that you will immediately take the proper measures to embody the militia most contiguous and to have them ready this evening to take possession of and guard the Ship Unicorn. The reason of this requisition will be obvious to you when you reflect that it will be useless for the Marshal to serve his precept on the vessel unless he is enabled to keep possession of her afterwards.

With due respect, I am, &c.,

G. K. TAYLOR.

B.

Mr. Taylor,

Sir,

*Your information respecting the militia of this town not under the command of Major Benn, of 2d Battallion, is a lie.**

JAS. WILLS, C. C.

Copy.

**N. B.—Colo. Wills afterwards explained the lie as applying to the man who gave the information, and not to myself.*

C.

Dear Sir:

Upon repairing on board the Ship Unicorn, at or about one o'clock to-day, attended by yourself, finding appearances unfavorable to my purpose, I instantly mentioned the same. You will be pleased therefore to regard the following particulars as matters of complaint submitted to your consideration, to-wit:

A general disorder on board, inasmuch as to have received insult from William Walcomb, whom I now pointedly forbid to be present on board, so long as the said Ship shall remain subject to my orders, and from the additional circumstances, not only of having been applied to whilst on board, in an insolent manner by a man (one of the five whom I found on board on the instant of arrest, and whose name is yet unknown to me) for his tools, but because there were many other men on board, not belonging to the guard, whose dispositions I am entirely ignorant of, and finally because from the apparent good understanding of Col. Wells and William Malcomb, I am diffident what may ensue from a continuance of such conduct.

I am, &c.,

D. M. RANDOLPH, Marshal.

Smithfield, Monday, 21st July, 2 o'clock P. M., 1794.

I do acknowledge that I received a letter from Colonel James Wells [illegible]
Commander of 2nd Regiment of Ins. in Wise County on Saturday
last [illegible] July 1794 commanding me to summon the [illegible]
Captains to repair with his Company the same evening to Smithfield, to
wait on Colonel Wells for orders.

The above orders I immediately executed.

GEORGE REES
Major 2nd Battalion

DAVID BRADFORD TO JOHN MCCALLEY, KINNEY ROBINSON, THOMAS [illegible] the 8th
CUTTRAL AND JOHN BLACK

I presume you have heard of the Stir we are making in this Quarter Washington
in Opposition to the Excise Law. We are joined as a band of brothers County
to oppose it. I refer you to Colonel Jackson on the Subject. The west-
ern Counties in Pennsylvania and Virginia are invited to a Grand Coun-
cil at Parkinson's Ferry at the mouth of Pigeon Creek on the Monon-
gahela. It is our wish that some of our Brethren in Harrison County
would attend the Hill of Action the day appointed for this General
Meeting to consult on the Measures Interesting to this Country. I
have learnt that we have some friends to the Common Cause in your
County. Pray come down to the meeting and bring some other Influ-
ential Characters.

I am, &c.

JOHN TAYLOR TO THE GOVERNOR. Aug 6th

Recommends Thomas Mitchel as agent for the collection of Arrears of Taxes in Brigade District of which Patrick is part.

Certificate accompanying John Taylor's letter.

We do hereby certify that we have long been acquainted with him, and do recommend him as a man well qualified for that business.

Charles Foster, Capt.	Jos. Martin,
Geo. Penn, Col.-Comd't,	John Redd, Capt.

DABNEY MINOR TO THE LIEUTENANT-GOVERNOR. Aug 7th

I have received a letter from the Clerk of the Council requesting I [illegible]
would advise the most probable plan of preventing the Capitol from [illegible]

1794. Aug. 7th

ing and the expence thereof. The principal leaks are in the roof, occassioned by the lead slipping down, so as to leave the plank bear for several inches. These leaks may be prevented, either by plank or Shingles, or by slips of lead put into those defects, which could be considered as nothing more than temporary repairs.

The most dangerous leaks are in the Gutters, owing in my opinion, to their not having fall enough, and which can not be prevented, but by relaying the Gutters and giving them more fall. I do conceive very Great Danger is to be apprehended from the leaks in the Gutters, as very little air can get to those timbers which are immediately under the Gutters, & which support the whole roof.

As to the expence attending it, I can form no opinion, it being out of my line of business altogether. I wish some of the Council could view the roof with me, and give their opinion thereon & I will endeavor to have the business executed on the most frugal plan.

Having had the misfortune to cut my thumb, am deprived of the use of it at present and am obliged to write with my fingers. I fear it is hardly intelligible.

I am, &c.

Aug. 7th

THOS. NEWTON TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Norfolk

I received your favor of the 4th with the proclamation, and am apprehensive it does not go far enough, as the expressions seem confined to the Ports of New Orleans, or those situated on the Spanish Main. From these places there is little danger, as we seldom have vessels from them, but from the West India Islands we have great intercourse, and from accounts brought they already have violent diseases raging. It appears a great doubt whether I have it in my power to compel any vessels but from New Orleans and the ports of the Spanish Main to perform a quarantine. I shall be much obliged for an explanation, or probably there may be an omission in the proclamation I have received. I beg leave to suggest that all pilots should be directed to bring vessels too below Fort Nelson, and report, that an examination by a health officer may take place before they are allowed to come up to the towns of Norfolk or Portsmouth. This mode is pursued the northward and southward of us, and report made by the health officer of the state of the crews, to prevent uneasiness in the Inhabitants. The expence attending this would be small, and I believe give general satisfaction. I have directed 50 copies of the proclamation to be struck, to give the pilots. Yesterday a vessel arrived from Barbados, which brings an account of the action of the French and British fleets. The latter claim a victory, having taken five and sunk three. This, I hear, is Lt. Howe's official account, but I still hope it is not right yet.

French Privateers arrived this morning from Charles Town, S. C. I have heard reports that some French men of war are off, but believe it is without foundation. There are five British ships of war in our bay; one 50, three frigates, and a sloop of war. Their intentions I know not. Accounts by a vessel arrived yesterday are that the French stand their ground in Gaudalupe, and that the British fleets were sailing from the Island, fearing the hurricane season. Admiral Graves it is said was killed in the action in the channel, and the ship in general much shattered. 1794. Aug. 7th

I am, &c.

H. H. Breckenridge to Tench Cox.

Aug. 8th

Pittsburg

I have received no papers from you. Your letter by the Post is the first I have heard from you.

I take the opportunity to give you in return a summary of the present state of this country, without respect to the opposition that exists to the Excise Law. It has its origin not in any anti-federal Spirit, I assure you. It is chiefly the principles and operation of the Law itself that renders it obnoxious. Be that as it may, the facts are these:

The opposition which for some time showed itself in Resolves of Committees, in representations to Government, in masked attacks on insignificant deputy Excise Officers, for only such would accept the appointment, did at length, on the appearance of the Marshal in this County to serve processes, break out in an open and direct attack on the Inspector of the Revenue himself, General Nevill. These circumstances you will by this time have heard from the General himself, and from the Marshal, Major Lenox.

Subsequent to their departure from the Country, notice was given for a meeting on the Monongahela river, about eighteen miles from the Town of Pittsburg. Six Delegates, of whom I was one, were sent from this Town. Nothing material was done at this meeting, but the measure agreed upon of a more general meeting on the 14th of August near the same place, to take into view the present state of affairs of the Country.

Subsequent to this the Mail was intercepted. Characters in Pittsburg became obnoxious by letters found, in which sentiments construed to evince a bias in favor of the Excise Law were discovered. In consequence of this, it was thought necessary to demand of the Town, that those persons should be delivered up, or expelled, or any other obnoxious character that might reside there. Also, that the Excise Office still kept in Pittsburg, or said to be kept there, should be pulled down; the house of Abraham Kirkpatrick burnt or pulled down; other houses also, that were the property of persons unfavorable to the cause. For this purpose, circular letters were sent to the Battallions of the Counties, de-

1794 July 9th

detachments for which not an Irishman's head to the amount of at least five thousand men in the second of the month. It was treated, on the part of the town, that from the rage of the people involving the town in the general odium of abetting the Excise Law, it would be laid in ashes, and I fear that it would have been the case had it not been for the prompt and decisive resolutions of the town to march out and meet them as Brethren, and comply with all demands. This had the effect, and the Battalions marched into town on the third, and during their delay there and encampment in the neighborhood with a trifling exception of a slight damage done to the property of Abraham Kirkpatrick, in the possession of his tenant, which was afterwards compensated, behaved with all the regularity and order of the French or American Armies in their march through a town during their revolution with Great Britain.

The Town of Pittsburg will send Delegates to the meeting of the 14th instant. What the result will be, I know not. I flatter myself nothing more than to send commissioners to the President, with an address proposing that he shall delay any attempt to suppress this insurrection, as it will be effected until the meeting of Congress. This will be the *object simply and alone* with all that labor to avert a civil war.

On the part of the Government I would earnestly pray a delay until *such address and commissioners* may come forward.

This is my object in writing to you this letter, which I desire you to *communicate either by the Gazette or otherwise.*

It will be said, this insurrection can be easily suppressed. It is but *that of a part of four counties.* Be assured it is that of the greater *part, and I am induced to* believe the three Virginia counties on this *side the mountain* will fall in. The first measure then will be the *organization of a new Government*, comprehending the three Virginia *counties* and those of Pennsylvania to the westward, to what extent I *know not.* This event, which I contemplate with great pain, will be the result of the necessity of self defence. For this reason, I earnestly and anxiously wish that delay on the part of Government may give time to bring about, if practicable, good order and subordination. By the time the Congress meets, there may be a favorable issue to the negotiation with regard to the navigation of the Mississippi, the Western posts, &c. A suspension of the Excise Law during the Indian War, (a measure I proposed in a publication three years ago in Philadelphia) may perhaps suffice. Being then on equal footing with other parts of the Union, if they submitted to the Law this country might also.

I anticipate all that can be said with regard to example, &c. I may be mistaken, but I am decisive in opinion that the United States cannot effect the operation of the Law in this country. It is universally odious in the neighboring parts of all the neighboring States, and the militia under the Law in the hands of the President, cannot be called out to relieve an opposition. The midland counties, I am persuaded, will not

even suffer the militia of more distant parts of the Union to pass through them. 1794. Aug. 8th

But the Excise Law is a branch of the funding system detested and abhorred by all the Philosophic men and the Yeomanry of America, those who hold certificates excepted.

There is a growling, lurking, discontent at this system that is ready to burst out and discover itself every where. I candidly and decidedly tell you, the chariot of Government has been driven Jehu-like as to the finances, like that of Pheaton it has descended from the middle path, and is likely to burn up the American Earth.

Should an attempt be made to suppress these people, I am afraid the question will not be whether you will march to Pittsburg, but whether they will march to Philadelphia, accumulating in their course and swelling over the Banks of the Susquehannah, like a torrent irresistable and devouring in its progress. There can be no equality of contest between the rage of a Forrest and the abundance, indolence and opulence of a city.

If the President has evinced a prudent and approved delay in the case of the British spoliations, in the case of the Indian Tribes, much more humane and politic will it be to consult the internal peace of the Government by avoiding force until every means of accommodation are found unavailing.

I deplore my personal situation. I deplore the situation of this country should a civil war ensue.

An application to the British is spoken of, which may God avert.

But what will not despair produce.

Yours, &c.

THOMAS NELSON TO THE GOVERNOR. Aug. 9th

In answer to the letter from the Executive relative to the corps of Light Infantry under my command, I have the honor to inform your Excellency that there are 50 men there at this time enlisted and enrolled, who are (two only excepted) uniformed according to the directions issued sometime since relative to Uniform, &c.; and so great is the desire which pervades all the young part of the Regiment to become members of such a Corps, that I have great reason to believe that the Company will become a very full one, perhaps equal to double the above number, or to any number which I may be permitted to receive. York Town

The young men of the Regiment exert themselves very much to procure uniform, and as they accomplish this they make their application to me and are enlisted.

Your Excellency will be pleased to observe, that it is little more than two months since the company was established, and it is now the largest

1794. Aug. 9th company of the kind (that of Richmond excepted) upon the establishment. I have had them in exercise and training for six weeks, with such old arms as could be borrowed. The company as it now stands, I presume will be considered as full enough to entitle us to the benefit of the order of the Executive.

I must inform your Excellency that I have reason to believe that in less than a month, there will be in complete uniform from sixty, large odd to seventy, and request the necessary accoutrements and arms for light troops.

I have, &c.

Aug. 10th

M. CARRINGTON TO THE GOVERNOR.

Cumberland Mr. George Reveley, who will hand you this, has been to the Buckingham furnace, and will explain to you the present situation of that place. About the year '86 or '87, Mr. John Reveley leased the land to a man of the name of Scruggs for five years, who let to under tenants who still remain on it. The land has been very much abused, and the timber very wastefully destroyed, & if some steps are not taken to stop them the public interest in the land will be still more injured. Mr. Reveley can give you more full information as to the waste has been committed than I can at present.

I am, &c.

Aug. 10th

THOMAS NEWTON, JR., TO JAMES WOOD, LT.-GOVERNOR.

Norfolk I have this moment received intelligence of the Brig Dolphin, Capt. Dalton, arrival from Jamaica. The owner of this Brig died the 29th ult., on his passage, of the fever raging there.

The Captain says from 20 to 25 die daily, and among them many Americans. It is probable that this vessel may go up the river (James) as she has not come up here. I consider that a boat ought to be employed to stop all vessels below for examination. If the Executive concur with me in opinion, please advise me and I will have one sent out immediately.

The fever rages throughout the West Indies, & I think no vessel ought to be permitted to enter without examination.

The Fort has now several Guns mounted, but I hear of no commander or men properly belonging thereto. If there was one, he could prevent any vessel coming up before examination. Captain Hannah is in the fort with a few troops, but as I understood him, had no charge thereof. The Engineer is there also, but I know not whether he has any command. I will apply to him.

Some British frigates still in the Bay.

I am, &c.

ROBERT PAGE TO COLONEL JAMES INNES. 1794.

The Jury having found for the Commonwealth, upon an Inquisition had some time ago in the county of Shenandoah, upon a large tract of Land claimed by Denny Fairfax, a British subject, and Traverse as also a Monstrans de Droit having been filed in the Office of our District court, It is presumable, especially as the counsel for the Defence don't appear anxious for a decision, that the Trial will come on at our next term, which will commence on the first day of next month. As the decision in the case above mentioned will have an Influence in the determination of the Right of the Commonwealth to other large Tracts of Land lying in several other counties in the Northern Neck, amounting to nearly 300,000 acres, all depending upon the same point, I feel such a degree of diffidence in having the management of a cause so important to the Commonwealth, as to wish for your assistance, if you can possibly make it convenient to attend, particularly as I apprehend that great exertion will be made on the part of Mr. Fairfax. Aug. 11th Frederick county

I conceive it not necessary to furnish you with a particular state of the case, as I have no doubt you have been informed upon this subject long ago. However, it may not be improper to mention that Lord Fairfax, the former Proprietor of the Land in Question, made his will in November, 1778, by which he devised those Lands to Denny Fairfax, a subject of Great Britain, and that Lord Fairfax died in December, 1781, while the war was yet depending. Under which will, we contend on the part of the Commonwealth, that Denny Martin, now Fairfax, being an alien, could only take for the use of the State. And on the other hand it is contended that altho' Denny Fairfax should be considered an alien, the Treaty of Peace secures him a Right to those Lands, &c.

I understand there are several precedents of proceedings on Inquests of office upon Escheats in the General court, including the Traverse and Monstraus de Droit, &c., and have to request that you will procure a copy from the Clerk of that Court of Record in one of these cases, which you will please to forward to me by post or otherwise before the meeting of the next court.

You will present my most respectful compliments to Mrs. Innes, and believe me, &c.

Should you come up, which I earnestly hope you will, I shall expect that you will call upon me.

BARRONUIER TO THE GOVERNOR. Aug. 11th

Citizen Oster, Vice-Consul for the French Republick, has obtain from his office a sentence, by virtue of which, in the fault of complying with Norfolk

1794. Aug. 11th

the above sentence (I am to be imprisoned immediately), the purport of said sentence is to deposit a certain sum in the chancery office.

My intention has always been, and continues to be, to comply with said sentence. So, said Vice Consul will deliver me a regular copy of the process with Bill of Charges duly certify'd, and so as to enable me to stablish my account of sundry disbursement I have been obliged to make relatively to this Business, and of which I must have every voucher in Rule with their Respective acquittances, of what sum I have paid, to render my account (to the heirs) to whom of wright.

Mr. Oster has Repetedly Refused my Request which is against every Rule and order. I keep a house here and have my family with me, and I can, if necessary, Give such satisfaction (as no one but him would refuse) if necessary, I have apply'd to Mr. Jn. Nevenson, Notary Publick, four days ago, to lend him my request by a summonse to that effect. Mr. Nevenson is out of town and I do not know the result of this Vice Consuls answer to my summonse. I must humbly Begg you when said Vice Consul will make his application to Gett the rigour of the s'd Sentence put into execution, That you will be pleased to order that the Reasons that I have to allege should be heard by some one competent, that I may justify my conduct and Expose my just and equitable grounds, that have kept me from complying with the above sentence. I flatter myself, that you do not approve of such sommery sentence (and that you are a ware of them) and that your kind indulgence to a stranger, will induce you to Grant my Prayers, and I Joine with my whole family, will be ever penetrated with the Greatest Sentiments of true Gratitude.

I have, &c.

Aug. 12th

Thomas Mathews to the Governor.

Norfolk

Circumstances frequently arise at this Port which frequently embarrass the Officers disposed to a faithful execution of the Laws. Two late arrivals are of this kind: one from Charlestown, S. Carolina, loaded with Flour, Soap, Candles, &c., with a regular Clearance from the Officers of the Customs of that Port, and destined for Saint Peter, Guadaloup, and put in here in distress.

This vessel is without a commission, but yet she is equipped with 13 Guns and 72 Men, and from the information that I can procure, has been equipped in Charlestown.

The other, a small Boat with two swivels. The Captain of this Boat is in possession of a Com. from the Gov'r of Cape Francois, dated March, '93. He likewise produces a clearance from the Custom House, Baltimore, dated May, '94, without mentioning any Guns, or that the vessel is in any manner equipped for war.

This latter vessel has taken a Dutch Snow, The Burgeen said to have a valuable cargo on board, and which prize they ran on shore near Cape Charles a few days since. 1794. Aug. 12th

Vessels have arrived here with part of the Cargo from the Snow. I have consulted Major Lindsay on the subject, and examined the instructions relative to business of this nature. The result has been, that the goods are held in possession of the Collector until the further order of the Executive. I shall likewise be happy in receiving the instructions of the Executive relative to the two vessels, agreeable to their respective cases, as before stated.

I am, &c.

WM. LINDSAY TO THE GOVERNOR. Aug. 12th

There arrived here on the 10th inst., a small Schooner under French colours armed with two swivels & a few muskets, and it being reported that a prize to the said Schooner was cast on shore on Cape Charles, I sent for the master of the Schooner to learn information, and received the following particulars: Collector's office Norfolk

That he is a French Man, his name is Peter Saintgassein, that he has a commission (which he produced) dated Cape Francois, in March, 1793, that he brought a cargo of Coffee to Baltimore, that he cleared from Baltimore for Cayenne on the 25th of May last, and that on his return 25 Leagues from thence he captured the Snow Bergeen, Frederick Mattias, Master, a Dutch vessel from Amsterdam, bound to Surinam, with a valuable cargo. The said prize with her cargo must be nearly lost from its present situation, having (by what I learn from the Pilot) now 9 feet water in the hold. A small part of the Cargo being brought up in a pilot Boat much damaged, I have taken possession of until some decision on the business takes place.

I have also to inform you that an Armed Ship called the Nonpariel under French colours, arrived here a few days ago. She cleared from Charleston for Gaudaloupe, has a cargo on board, mounts 13 Guns, and has from 70 to 80 men. The Captain says he is in distress, having Sprung both masts. He has no commission. He purchased the vessel and armed her in Charleston.

I am, &c.

JOHN CROPPER TO ——— Aug. 12th

I received the 30th of June, my commission as agent of the Ninth Brigade district, and the Act of Assembly prescribing my duty. By the law, the Auditor is to forward to the Agents executions against the Accomac

1794. Aug. 12th delinquents in the respective Districts. As soon as I shall receive those for this, I will proceed to execute the trust reposed in me to the best of my judgment and authority. I shall be very glad to receive by the bearer, Mr. Bayly, those executions, and any advice or instructions the Executive may please to give me. I wrote you the second of May, giving an account of my proceedings as Lieut.-Col. Commandant of the Militia of this County under the Embargo, in detaining the Schooner Franklin and brigantine Neutrality, as I have as yet received no answer to that letter, shall now be glad to be favored with your reply and opinion respecting my conduct on that occasion.

Being much indisposed at present, I conclude by subscribing myself,

Yours, &c.

Aug. 12th At a court of oyer and terminer held for the county of Henrico at the Courthouse, on Wednesday, the sixteenth of July, 1794, for the trial of Emanuel, a negro man slave, the property of Richard Randolph, Esq., (of Curls) charged with murder.

Present.—Isaac Younghusband, Bowler Cocke, John Harvie, John Mayo, and Thomas B. Adams, Gent. Justices.

The said negro man slave Emanuel was set the Bar in custody, and upon his trial denied the charge with which he stands accused. Whereupon Sundry witnesses being sworn, charged and examined, and the prisoner by his counsel fully heard, it is the opinion of the court that the prisoner is guilty of the charge aforesaid, and for the same that he be hanged by the neck until he be dead. And it is commanded the sheriff that he cause execution of this order to be done on Friday, the twenty-second day of the next month, between the hours of ten and twelve in the forenoon, at the usual place of execution.

The Court also valued the said slave to eighty pounds.

The minutes of the foregoing proceedings were signed—

ISAAC YOUNGHUSBAND,
JOHN HARVIE,
THOMAS B. ADAMS,
BOWLER COCKE,
JOHN MAYO.

Aug. 13th

JAMES INNES TO ARCHIBALD BLAIR.

You will inform the Governor that no such papers as those described in your letter were ever transmitted to me, either from the Executive, or any other existing body. The only communication I ever received respecting the commissioners of the land tax since the opinion of the

General Court on that subject, was a letter from Lieut.-Governor Wood, enclosing me that decision, and requiring to be informed in what manner Government ought to proceed to recover back again the salaries which had been illegally, according to the aforesaid judgment paid to the commissioners. In answer to which letter, I now advise that actions upon the case be instituted against the said commissioners for the amount of the several sums they may have respectively received. If the Auditor however, shall suppose motions against them sustainable (of which with great humility I entertain my doubts), let notices be given, that a summary mode may be tried at the next court. 1794. Aug. 13th

I am, &c.

JAMES INNES TO THE GOVERNOR. Aug. 14th

I return you my thanks for the letter you were good enough to write for me to the Secretary of State, on the subject of his last night's communication. It was strictly communicative of my situation, sentiments, and feelings. Enclosed you have my application to the Executive. Please to communicate to me the result of their deliberations without delay.

Your, &c.

ALEXANDER CAMPBELL TO THE GOVERNOR. Aug. 15th

Upon the subjects of your communication to me this morning: Richmond

I am of opinion that the French Schooner from Baltimore, which has come into the Port of Norfolk with a Prize captured at Sea, is not subject to detention under any Law of Congress, or of Nations. It is not even suggested that she was equipped for war within the territory of the United States; and tho' it is stated that no mention is made of her Guns in her entry at the Port of Baltimore, yet I do not consider this circumstance to be a sufficient ground to justify her detention.

It is a respect due to the Government of another State to presume that a vessel which has regularly cleared out from her Ports would not have been permitted to equip therein, or have obtained permission to leave them in repugnance to a well-known and very important Law of the United States; and this presumption ought to govern in all cases, where there is not a direct allegation to oppose it. Under this impression I shall not direct any process to issue against this vessel; but with respect to that from Charleston, I am equally clear that she is liable to seizure and forfeiture. I have no doubt as to her character. The number of her Men is of itself sufficient evidence, in my mind, that she is designed for war, altho' she has cleared out from Charleston under the

1794. Aug. 15th character of a Merchant vessel. Her equipment in that Port being therefore illicit, I have filed a Libel against her in the District Court of the United States, and have to request of the Executive to give such Instructions as will enable the Marshal of the United States to procure the aid of the Militia in seizing and securing her, if he shall find it necessary.

The Prize to the Baltimore Schooner is not to be recognized as such till there shall be a condemnation of her as a Prize. No request hath as yet been made to me to proceed against her upon that ground, nor is there any complaint respecting her detention, which will authorize any branch of Government to notice the circumstance of her capture.

I have, &c.

Aug. 16th

Cornelius Bogard to the Governor.

Randolph county

On receiving your orders I raised a Company of Volunteers for the defence of Monongalia District. On the 17th of March last I received orders from Col. William Lowther to station the troops raised in this County at the head of Tygarts Valley and Buchannon River. I acted agreeable to his instructions, and kept the troops stationed at the head of Tygarts Valley and Buchannon River, until I received another letter from Col. Lowther with orders to march the troops under my care to the mouth of great Haukhawking, or a little settlement about four miles above Haukhawking. I received said orders on the 8th of July. Col. Lowther informed me by his letter that he thought I could have my men in readiness to march in about 2 or 3 weeks from the time he wrote to me, which was the 5th of July. On consideration of the distance I had to march, and the length of time the troops were likely to be continued on the big river, I thought it would be impracticable to march before the first Monday in August, against which time my Company would have been in readiness to march for the Ohio, but on the 29th of July I had an express from Buchannon, giving the intelligence that the Indians had taken a young woman Captive from the West fork, and had made other incursions in the same settlement. I immediately marched part of my Company for the place where the mischief was done, but did not overtake the enemy. I got back to the Valley the 10th of August, where I found the people much alarmed, it being thought that the Indians were in this settlement, and I am doubtful, from the present appearance of things, that the Indians is really in the settlement of Tygarts Valley. I think it my duty to try to detect the enemy if they be in the settlement before I march to the Ohio. I would further inform your Excellency that there is a considerable vacancy on the big

river between Belvoal and the Great Kanawha, which I think is the worst inlet to the Indians that I know of at this time. 1794. Aug. 16th

These few hints I submit to your Excellency's consideration and rest.

Your. &c.

N. B. My reason for marching to pursue the Indians that had done the mischief on the West fork, was that I was informed by the Buckhannon Express that Lowther's troops was started, and there was no men to follow the enemy.

15th of March, 1794. Aug. 16th

Sir,

I have just considered concerning the appointment of the spies, and find that I cannot in Justice turn out these Gentlemen who have Served through the severity of the winter, and acted agreeable to the Instructions given to them. I say, to turn them out would be cruel; therefore I have continued those appointed for our county, and am in hopes you will see with me, and Do likewise. Notwithstanding, the matter rests with you, and I rest myself assuredly you will do what is Right.

You will please to Station your men at the upper end of the Valley and Buckhannon as before, until further from me. The Spies you may Direct to Range So as to secure the most exposed part of your county. As for Rations, Mr. Wils in Ohio county Is to supply. Ammunition is to be forwarded by the Governour to Morgantown, where I expect you may be supplied by applying. I am in hopes that you will endeavor to send the Rangers yourselves, unless you can see how it can be done by some Regelor manner, and perhaps all together.

I am, &c.,

J. WM. LOWTHER.

To Colo. Cornelieus Bogard.

July 18th, 1794.

Sir,

I have just returned from visiting the different stations on the River Ohio, and find the River completely filled with stations down to the little Kanaway; then there appears to be an opening at the mouth of Great Hockhocking, where it appears to be an inlet to the Indians, which Do the greatest Damage to the upper part of both your County and Ours, & as I have just received Express orders from the Executive to post all the Scouts and Rangers on the River Ohio, therefore, I request you will march your company immediately to that place, or to a little settlement about 4 miles above Hocking, whichever may suit you

1794. Aug. 16th best. I think it will suit you best to go by water, by reason you can call on Col. McClerry at Morgantown, and receive your ammunition; also, you can call at the mouth of Buffalow, and acquaint the commissary concerning your Rations. If you go by land, you will be under the necessity of Imploying a pack-horse or two to Pack out your ammunition. Likewise to inform commissary concerning provisions, and as Sergeant Fells is to Join your Company, Ples to let him know when he may Depend on meeting you at Morgantown. I have thought two or three weeks will be as Long a time as necessary to give the men to get themselves ready in.

I am, &c.,

J. WM. LOWTHER.

Aug. 16th

PETITION TO THE GOVERNOR.

August 11th, 1794.

Your Humble petitioners Showeth, that the frontiers of Randolph County is truly in a pitiable condition, as the Indians has of late done considerable Damage on the frontiers of Harrison County, viz: Killed one and taken four captive, and made several other attacks, and their sign has been Discovered in Several places on our frontier, and has attacked one house the evening of the tenth of this Instant, and our Soldiers about to start to the Ohio, and every circumstance gives us to think that unless there is a further protection Granted, that a number of families settled out on our frontiers will Certainly be obliged to Brake, which nothing but the Expectation of a Guard Induced them to venture out. Therefore, we humbly pray you to take our present situation into consideration and continue the Guard with us. Else we conceive that some part of our frontier will Sustain perhaps considerable Damage. We rest in some measure Contented that our petition will be heard, while your petitioners is in Duty Bound to pray.

Ferdinand Hamilton, Barton Stolnaker, Archibald Hamilton, James M. Colain, Wm. Shaw, Rebeckah Haddan and others.

Aug. 16th

JAMES INNES TO THE GOVERNOR.

Henrico I have conversed with Mr. Reveley on the situation of the Buckingham Works, Scruggs and all his under-tenants are Trespassers. John Reveley had never a right to lease out the lands. Ballendine & Reveley entered into a contract with the State many years since, to deliver a a certain quantity of pig iron and castings at £7 10 per ton, upon the delivery of which, they were to have had the works, negroes, &c., in fee.

1794.

These were, however, Mortaged to the Commonwealth. Ballendine & Reveley long since fell thro' their contract. Reveley, Ballendine being dead, delivered the negroes and implements to Mr. Mayo Carrington, & wrote to me offering to reconvey the Lands to the State. I showed his letter to Ballendine's Heir, who agreed to join in the conveyance. Reveley shortly after lost his senses, and young Ballendine left the State. These events have prevented the reconveyance of the property to the State. Mr. George Reveley informs me his brother is once more compos mentis, unless when deranged by liquor, and that young Ballendine is probably on the Potomack, where he has some Estate. He also offered his endeavor to get his Brother & Ballendine to make the proper conveyance to the State. By looking into the records of the Journal and the Journals of the Assembly a full history of this business may be seen, & a deed prepared, which will differ in no respect from ordinary conveyances, except in reciting the terms on which the lands were conveyed to Ballendine & Reveley. Their failing to comply with those terms, and consequently the reversion of the land back again to the State, and the free assent of Ballendine, Jun., as representative of his father, and of John Reveley, that it should so revert. Your Clerk, Mr. Blair, can show you all the Documents relative to this business, as he once furnished me with them, and I suppose one of your Clerks may draft the deed. For as conveyancing is no part of my profession, I do not suppose it a duty incidental to my office. However, if I was well enough (which is really not the case) I would make no difficulty about the matter. It is of consequence to have the deed now prepared, as Mr. George Revely would take it down with him to Portsmouth, and then proceed up Rappahannock to get it executed.

Aug. 16th

If nothing can be done in this affair until I get well, as soon as that happy event arrives, I will take it up and try to have it finished. I can hardly see what I write. God knows whether you will be able to read it.

I am, &c.

A. Lewis to the Governor.

Aug. 18th

Fort Lee

Immediately on receipt of your letter, Dated July 17th Inst., agreeable to your instructions to Capt. Neil & Ensign Cotteral, Capt. Neil refused to serve. Cotteral accepts and takes his post under Lieut. McGavock. The Company formerly under the command of Capt. Crockett has not a commissioned officer, but Lieut. Taylor. I have directed Lieut. Robertson, being the eldest of that rank on the Southwestern Frontiers, to take command of that company as Capt., and as my command obliges me frequently to be at other posts than my own, or at the head of my own company, it is impossible for me to have the duty done

1794. Aug. 18th

without the number of officers allowed to that particular company and have directed Ensign Colvill to take rank as Lieut., and James Darby Serg't, who commanded the detachment that defeated the party of Indians that did the mischief at the house of Mr. Lovingston, to take rank as ensign on the Executive's approbation or disapprobation, to this regulation should be glad to receive Instructions. I shall then want two commissioned Officers, a Capt. & Ensign to complete the Companies under my command, but as the season is now far advanced, and not wishing to cause further expense to the public, will endeavour to do without them.

I have, &c.

Aug. 18th

THOMAS NEWTON TO THE GOVERNOR.

Norfolk

Two vessels have arrived this day from the West Indies. The Schooner Richmond, from Jamaica—all well and healthy; and the schooner Adeline, from St. Thomas, the same: both out twenty days and upwards. Under these circumstances, I have permitted them to come up and proceed to their discharging—conceiving it the intention of the proclamation not to detain vessels after the crews were found to be healthy. If I have erred, to set me right I have a boat cruizing with a careful man in her who stops all vessels below, when Doctor Mortimer proceeds and examines the crews as to their health—a certificate of which is given to me; and if the least appearance of sickness appears, they shall lie until their health is restored. But if your Excellency should think all vessels should perform Quarantine that arrive from the points proscribed, they shall, tho' I think it unnecessary as the disorder would appear on the passage if they were infected. Whatever you may please to direct, I will endeavor to execute. And am—

Your, &c.

The boat and men are at 28s. per day. The vessels pay for the Doctor's visiting them, and I suppose the boat will be at the public expence, as it is hard to make people pay for the common good, when they suffer so largely in detaining their vessels.

Aug. 19th

GEO. K. TAYLOR TO THE GOVERNOR.

Petersburg

I regret extremely that my professional avocations by detaining me from Petersburg all the last week, prevented me from receiving your letter dated the 9th instant, until the last evening. Immediately after I had received, I began to make out an account of the expenditures of

myself and of Captain Weisiger's party, including also one or two charges against General Marshall, which were not presented to him for payment during his stay in Smithfield, which I now do myself the honor of inclosing to you, together with the several vouchers necessary to establish it. 1794. Aug. 19th

The horse impressed by Captain Weisiger is not generally supposed to have been worth more than thirty-five pounds. The owner of him, however exacts payment of fifty pounds, and threatens suit unless the ultimate penny of that sum is paid. But as it unjust that the state of Virginia or the United States should be encumbered with the payment of more than his real value, and as Captain Weisiger's friends have determined to exonerate him by voluntary subscription from all damage, I have stated his value at the smaller sum, leaving the balance to be discharged by the contributions of the Captain's acquaintances.

The charges in the account marked with asterisks I have not discharged, either because I conceived them to be exorbitant, or because I doubted whether I ought to pay them until they were sanctioned by you. They are tavern keeper's bills, and a Doctor's account. This Doctor was employed to attend one of the Prince George Light Infantry who was grievously wounded with a bayonet by one of his fellow soldiers, and was incapable for some time of removing. The charge, I presume, for attendance and medicine is a proper one against the state, as is also the tavern keeper's bill for his maintenance while under the surgeon's hands. I have not however presumed to pay the one or the other before receiving your opinion as to the propriety of the charges. It will be observed that what swells the account which I render is that I laid in provisions and spirituous liquours, not only for the soldiers, but also for the men on board the cutter, and for the seamen whom the Marshall employed to carry the ship up James River. The reason of this was that we were both sure that payment of the whole charge would ultimately be made by the United States, and the mode adopted superceded the necessity of keeping two separate and distinct accounts.

I have waited this long without sending you my report, in hopes of previously submitting it to the criticism of the Marshall. But he, I hear, is sick, and my professional business during this whole month, presses me so closely that I am not able to wait upon him with it. I shall therefore forthwith transmit it to you in its present state.

I have, &c.

PROCLAMATION BY THE GOVERNOR OF VIRGINIA. Aug. 19th

Whereas I have received information that a banditti from the Western parts of Pennsylvania have in defiance of law and order, passed into this Commonwealth, and by threats and other evil doings compelled an

1794. officer of the United States living in Morgan Town, in the County of
Aug. 19th Monongalia, to abandon his home and seek personal safety by flight; And whereas I have reason to believe that the said banditti are a part of that deluded combination of men described in the President's proclamation of the 7th day of this present month, who, forgetful of all obligations human and divine, seem intent only on rapine and anarchy, and therefore endeavour by their emissaries and other illegal means to seduce the good people of this Commonwealth inhabiting the Country bordering on the state of Pennsylvania, to unite with them in schemes and measures tending to destroy the tranquility and order which so happily prevails, and thereby to convert the blessings we so eminently enjoy under our free and equal government into the most afflicting miseries which can possibly befall the human race.

To arrest these wicked designs; to uphold the majesty of the law; to preserve our fellow citizens from evil and our country from disgrace, I have thought proper, by and with the advice of the council of State, to issue this my proclamation calling on all officers, civil and military, to exercise with zeal, dilligence and firmness, every legal power vested in them respectively for the purpose of detecting and bringing to trial every offender or offenders in the premises.

And I do moreover specially require and enjoin that all persons coming into this Commonwealth from that part of our sister State, at present so unhappily distracted, be particularly watched, and if they shall be found disseminating their wicked and pernicious doctrines, or in any way exciting a spirit of disobedience to government, thereby violating the peace and dignity of this Commonwealth, that they be immediately apprehended and dealt with according to law.

Given under my hand as Governor, and under the seal of the Commonwealth, at Richmond, this twentieth day of August, in the year of our Lord one thousand seven hundred and ninety-four, and of the Commonwealth the nineteenth.

HENRY LEE.

Aug. 20th

J. Dawson to James Wood.

Staunton

Wm. Patton was appointed one of the agents to superintend the collection of the monies due to the Commonwealth.

He has not received his commission.

A recommendation of a sheriff was some time since made by the Court of Bath. Dean was the first nomination, and appears to be much worked for by the court and county.

No commission has come to hand. I must request your earnest attention to these things. And am, &c.

EDWARD CARRINGTON TO THE GOVERNOR. 1794.

I have just received from Mr. Edward Smith, Inspector of the 5th Survey in this District, the enclosed letter dated the 17th Instant. Aug. 20th Supervisor's office, Richmond

I beg leave to call your attention, sir, to the intelligence which it contains of practices by the Insergents in Pennsylvania, by Emissaries and open parties, for suppressing the execution of the Excise Laws in the county of Monongalia, and uniting in the Insurgency the people of that county; and of the symptoms of defection which have discovered themselves in some, though not the generality of those people.

Your Excellency will also observe in the letter of Mr. Smith, a paragraph mentioning with some degree of uncertainty, that probably Emissaries from the Insurgents have been in Winchester, for the purpose of purchasing ammunition, which you may be of opinion merits further enquiry.

I have, &c.

Winchester, Aug. 17th, 1794.

Sir,

Your despatches rec'd at this place, having returned a few days since without being able even to proceed to Margan Town with any degree of propriety.

According to my intention communicated to you in my duplicate letter to the Commissioners of Revenue, I sat out for Morgan Town, and proceed to the neighborhood of the mountains, where I rec'd a letter from the collector from that county, containing the following paragraph:

"I am threatened from all quarters in my own county, and the Pennsylvanians came into our Town and ordered me to give up my papers, or they would come and destroy them with all my property; in the meantime no collection can go on, as our distillers will not pay 'till they see the event."

Having other business in the county I then was, and hearing continually unfavorable accounts, I waited a few days to determine on future measures; in that time, I was informed the Collector had been obliged to fly his home, which proved to be the case; in consequence whereof, I thought it necessary to have a meeting with the Collector, who had come below the mountains. He informed me he had received a fictitious signature to a letter threatening him, that if he did not resign his comm'n, they would be at his house on a certain night and destroy everything he had. In consequence, with the advice of his friends, he fled for safety. They fulfilled their promise on the night preceeding the one appointed. A considerable party came in pursuit of him, but did not destroy his property. Weaver informed me that they bring whiskey from Penn-

1794. Aug. 20th

sylvania in the most open manner, bidding defiance to a seizure. He further informed me that my intended visit was well known, and that he is confident that I should have been in the hands of the Pennsylvanians in a very short time after my arrival at Morgan Town. Under these various circumstances, I deemed it needless to proceed, and concluded that the most prudent measures should be taken to prevent any avowed opposition by the Virginians, which perhaps my presence might occasion. I have wrote to Mr. Biggs fully on the subject of my intended visit, and at the same time admitting the justification of the suspension of the payment of the duties at this time, to communicate fully to the People the object of my letter, and to caution them against wantonly engaging in the lawless proceedings of their neighbours.

From the best information I can receive from the counties of Harrison and Randolph, I believe the People to be temperate on this business, and if prudently managed, I have no fear of their defection, indeed the influented part of Monongalia I am convinced, are well disposed, and attribute the threats rec'd to some of the rabble who have nothing to lose, as it is natural to expect on such occasions that every worthless fellow will wish to appear of consequence. I am, therefore, pretty confident, that if proper measures are persued against the Pennsylvanians, these People will remain quiet.

I am entirely uninformed of the state of matters in Ohio; my conjectures are, that many are friends to the opposition and perhaps some have been so imprudent as to associate themselves in it, but I expect that no officer appearing amongst them, by which they might form a pretext for opposition, they will be passive until the event of Pennsylvania is Known; but if this evil is not eventually rooted out, the flame will spread most readily. Some of the Distillers in Hampshire & Hardy, which join the boundaries of Monongalia express their doubts of longer paying the duties, and would embrace the earliest opportunity of non-compliance if they could calculate on protection in their opposition.

The reports we receive from Pennsylvania infer a continuance of their rebellious proceedings, and we have reason to believe that emissaries have been in this Town who have purchased a considerable quantity of Amunition. Commissions are sent by the President to negotiate, but I am afraid it will add fuel to the flame, as reason must vanish when a mob governs.

You will please inform me whether I shall remit you the Cash in hand, or hold it for its first purpose; if the former, I shall be glad if you can accommodate a draft on me for 3,000 dollars, as it is very difficult to procure Bank notes for remittance.

I am, &c.,

EDWARD SMITH.

P. S.—The Express delivered your dispatches on Saturday noon & have dispatched him Sunday 8 o'clock.

Col. Edw'd Carrington, Supervisor of Revenue, Richmond.

JOHN WILSON TO THE GOVERNOR. 1794.

The recommendation from the Court of this County for the Militia Officers, as it met with the disapprobation of the Executive, (being one of that Body) I shall take it as a great favor to know by what Information they grounded their opinions, as no set of men ought to be condemned without a hearing. (As a citizen I claim it) and hope by Capt. Clark a Transcrip you will send me of the Information they had to ground their opinions. Then I shall be able to answer for my conduct in the Business, and perhaps shew how much the recommendations is mended, as I am confident there must be some rong information some way, or the Executive would not have altered the recommendation as they did. Therefore, please to receive my Resignation of my Commission of the 42nd Regiment, as I chose to resign; please to appoint some other in my place, as I have got old and had a long Tour in the business, but shall always be ready and willing to give my aid and assistance, my poor abilities will admit of in favour of my Country. Col. Wm. Dix lives in the south side of the 42nd Regiment, which I had the honor to command, and will have near twenty miles to ride before he gets in nearest Bounds of the one he is appointed to. Aug. 20th Pittsylvania county

Therefore, you may Judge whether it will not be proper to appoint him to the Command of 42nd Regiment, and refer you to the recommendation of the Court of this County for the office of the 101st Regiment, and

Am, &c.

CHARLES ALEXANDER TO THE GOVERNOR. Aug. 20th

Declines the sheriffalty of Fairfax and recommends Col. Payne for the office.

Sir:

You will find by the recommendation of the Court of Fairfax, Mr. Charles Alexander and myself are the next persons entitled to the Sheriff's commission for said county. You will also discover by Mr. Alexander's Letter his wish not to accept the same. I have only this to observe, and which I think it is right you should be informed of, that I am the Surveyor of the County in which I live. Now, Sir, if there is no impropriety in my holding both offices, as I should farm it out to good men qualified to do the Business, (as hath generally been the custom here), I confess I shall have no objection in accepting the office of Sheriff, otherwise, I shall continue in the office I hold at present. This far I can say during my practice in Surveying, I have considered it a singular advantage in attending a survey in a double capacity as it is

1794. Aug. 20th

not always in the power of the parties to get a magistrate to attend their surveys where witnesses are to be examined on oath.

However if it is considered by the Executive to be illegal I shall cheerfully submit.

I have, &c.

W. PAYNE.

June Court, 1794.

Fairfax County, Sct.

Ordered that James Wren, Charles Alexander and William Payne, Gentlemen, be recommended to his Excellency the Governor as proper persons to execute the office of Sheriff of this County.

Copy—Teste:

S. WAGONER, Co. Clerk.

Wythe County, Aug. 20th, 1794.

I do hereby certify that Joseph Kent, Esqr., contractor for the supply of the Volunteer Militia raised for the defence of the Southwestern Frontier of Virginia for the year 1794, has duly furnished the Company of said Militia under my command from the 9th day of March until the above date.

ROBERT CROCKETT, Capt.

I do hereby certify that Joseph Kent, Esq., contractor for the Volunteer Militia employed in defence of the Southwestern Frontier of Virginia for the year 1794, has duly furnished the several companies from the time of entering the service until this date, with their rations as directed by Government.

A. LEWIS, Capt.

Aug. 20th, 1794.

Aug. 20th

THOS. LEWIS TO THE GOVERNOR.

Illegible county

I have the honor to enclose you a list of the men's names enlisted in the artillery company under my command, belonging to the 14th Brigade district. Lieut. Lewis waits on you to request the favor of field pieces and their appurtenances and whatever else may be necessary for putting the said company into a state of equipment.

I have, &c,

A list of men belonging to the 14th Brigade Artillery Company: 1794.

John Wyatt, James New, Coryden Carpenter, Edward Griffin, William Fleming, Robert Enos, William Jones, Thomas Churchill, Cary Kemp, John Snelson, Matthew Guyn, William Brooking, Sussex Dare, Robert Massey, John Williams, William Urie, James Figg, James Thornton, James Stubbs, Samuel Cosby, Francis Cook, Henry Fox, John Thurston, John Perrin, John Fox, John Nicholson, Francis Shackelford, Horatio Whiting, Mann Burwell, Lewis Whiting, William Fox, John Dixon, Carter B. Fontaine, Hugh Henderson, John Yates, Henry Whiting, Augustin Olivier, Coleman Stubbs, Thomas Saunders, John Spalding, James Dixon, Samuel Stubbs, Thomas Treakle, William Kenningham, James Vaughan, George Shackelford, Thomas Whiting, William Williams, Robert Saunders, Jacob Saunders. Aug. 20th

THOMAS LEWIS, Capt.

ARCHIBALD WOODS TO THE GOVERNOR. Aug. 21st

There was a provision return (for the first part of the last year), for Lieut. Wells' detachment of Rangers, which was drawn agreeable to the pay-roll, which was returned at the same time. They were carried by Mr. Charles Wells, and when Capt. McCullock was afterwards down at Richmond, he saw all the other papers relative to the business but the said provision return, which Mr. Coleman was not able then to lay his hand on. I should be glad to know if it is since found. If not, I will thank your Excellency for further instructions in the business. Provision returns were forwarded by Mr. Davies' agent from the counties of Harrison and Randolph, which I am informed were improperly executed. If so, I will see that proper ones are forwarded by the delegates this next session. I would be glad if your Excellency would order me payment for the amount provision return before mentioned. Perhaps if there is not money in the treasury, an order on Mr. Smith of Winchester, given to Capt. McCullock, on his return he would be able to procure me the money, which would much oblige, Ohio

Your, &c.

ARTHUR CAMPBELL TO THE GOVERNOR. Aug. 21st

It seems from what will be the operation of the late Militia law, that it is defective in its formation. It is a necessary attribute of Military Organization that its operation should have celerity and efficiency. The old law, had not the acts of the general government intervened, seems Washington

1794. Aug. 21st

best calculated for the militia of Virginia, when the counties had a direct communication with the Executive.

The chief of the State could inspire an ardour a military spirit that none of his subalterns can effect. They may want comprehension and activity of mind, or they may be too far removed from the objects of their command.

These reflections occur from observing that the commander-in-chief has done his part of the duty of having the eleven thousand men, this State's quota, in a train of preparation for actual service; but not a line, not an order has reached this District from the Major-General of the Division, or the Adjutant of the State. The summer season will soon terminate. A formidable Insurrection has taken place in adjoining state. The federal army has made movements that may decide the question of peace or war with the British, and open war has taken place with the creek Indians. In all these commotions, our state can not be indifferent; in short, the militia ought to be in a capacity for active preparation, if it were only to keep up that character of respectability which in former wars the Big Knife always maintained.

About two weeks ago, Governor Blunt by a runner of the Cherokee Nations, received intelligence that some thing upwards of one hundred Creek Indians were on their march to attack that part of frontier of the Territory that lay bordering on Clinch River, and that they were bending their course to cross the Tennessee near the mouth of Hiwassee. On receiving these, he ordered out a Captain and his company, all mounted, to reconnoitre. On their Scout the Captain took one course to make discoveries, and the Lieutenant with 36 men another.

On Thursday, the 14th inst., at about 12 or 15 miles from the Fort called South-west point, (mouth of Clinch) Lieut. McClelland fell in with a large party of Indians. A furious action ensued, and so close at times that Tomhakes were thrown by the Indians. Our men stood by — other like veterans, but was at last constrained by superior numbers to retreat, but with so good a countenance that the enemy did not pursue. Seventeen of the Detachment was missing the last accounts, but it was hoped several would yet come in as they were noticed to move off before the action was over, supposed to be wounded. Almost all those that has come in, had bullets through their cloathes. The Lieutenant had nine and escaped unhurt.

A Mr. Cunningham, late a citizen of this State, was known to have killed two Indians, and at the instant of the retreat was engaged close quarters with a third, making a dexterous use of a large knife. This brave man is missing. The Lieutenant was a Virginian, late from Botetourt. I have been something lengthy in this account, knowing that you understand such matters, and to prove that not only in fighting Europeans, but also Indians, to fight in order, to advance in order, & to retreat in the same way, always contribute to victory or safety.

A few days before on another quarter, a small party of Creeks were

defeated by Sergeant Townley of the Federal troops who had friendly Cherokees with him and a few soldiers. They took one scalp. It will be favorable to us in this war, that the whole of the Chickasaws and about half of the Cherokees will take an active part against the Creeks. 1794. Aug. 21st

A Kentucky Traveller reports, that the advance of the federal army under General Scott, near the Miomi of the Lake had an action with the Indians, and beat them off the ground, making considerable slaughter. Our loss consisted chiefly in federal troops on foot. The mounted Infantry unexpectedly attacked the enemy in flank and rear.

I am, &c.

MILES KING TO THE GOVERNOR. Aug, 21st

When I was last at Richmond I did inform you the Cash allowed for the French Emigrants had been out for some time, & I was in advance for them. I have reduced the number to ten. These want much to return to the West Indies, where a vessel will sail in ten days. The Captain is willing to take the whole with him, but will not do it under fifty pounds. The Emigrants have made of a Friend to pay Half. One hundred dollars is wanting to pay their passages and money to lay in provisions. Will not it be best to pay the Hundred Dollars and lay in provisions and be clear of them, as I fear they will not be much benefit to this county as they are on the wrong side with us in politicks. If cash is not to be had, I will pay the passage, &c., if it will meet with the appropriation of your Board, please to have it laid before the Board as soon as convenient and let me know. If they miss the passage it may be some time before another offers. Hampton

In the destruction of the Norfolk Distillery the last war, the county paid for the houses and fixtures six thousand pounds. Of course the stills belong to the Commonwealth, one of which is now in this county, and claimed by Alexander Love, and I do suppose he has the other one. I think he cannot have the least claim to either of them. The agent for this District ought to have some information on the subject, and the still in this county will be put in his possession on his making application. And the * * * * *

With very great respect, your, &c.

ROBERT PRESTON TO THE GOVERNOR. Aug. 22d

Application for commission as Sheriff of Washington. Abingdon

1794. SIMON MORGAN TO THE GOVERNOR.

Aug. 22d Fauquier county

I am sorry that I am prevented by my indisposition from attending the Board agreeable to your direction. I shall, however, attend in Richmond at as early a period as my state of health can possibly admit. All the information that is in my power to give the General Officers composing the Board to settle the rank of Field officers, can be obtained from Mr. Coleman; and if it should be considered necessary in my absence to have a Deputy, I wish Mr. John Stewart to act in that capacity, who will undertake the business. It would give me much satisfaction to attend agreeable to your orders, and should be much obliged to you to transmit me by the most early opportunity, a copy of the proceedings of the Board. Inform me whether I am to attend the detachment ordered out in my official character.

I have, &c.

The Commonwealth of Virginia,

To Charles Teberghin, Dr.:

1794.

To my services as Provost Marshal upon the trial of Capt. John McCullock by a Court-Martial in the Town of West Liberty, six days at 7s. 6d. per day allowed by the Court, - - - - - - - £1. 17. 6.

I do hereby certify that the above allowance to the clerk and Provost Marshal was approved by the court-martial held for the trial of Capt. John McCullock the 11th Instant. Given under my hand this 23d of August, 1794.

MOSES CHAPLINE,
Prest. of Court-Martial.

The Auditor, Richmond.

Aug. 23d Norfolk

THOMAS MATHEWS TO THE GOVERNOR.

I acknowledge the receipt of your Excellency's letter of the 18th instant with its enclosure.

It is with great regret that I inform you, that the process issued against the Schooner Non Pariel has not been served. The Schooner had for some day's previous to the receipt of the process been removed to the neighborhood of Crany Island, and beyond the reach of any of

the cannon at Fort Nelson. At the request of the Deputy Marshal, I attended him for the purpose of seeing the process executed, but on our arrival near the vessel we were forbid to approach—the officer declaring that the orders he had received from his Captain were, to admit no Boat whatever to board the Schooner. Mr. Hunter, the Marshal, then enquired if the Captain was on board, declaring that he had a process from the Judiciary of the United States against the Vessel. The Officer replied that the Captain was not on board, and again repeated his prohibition that we should not be permitted to approach nearer. At this time, forty or fifty men presented themselves on the Gun whale of the Vessel with their boarding Pikes in hand. I informed them that we should not, as we were situated, attempt to board them and retired. 1794. Aug. 23d

I felt very strongly for the indignity offered to the Law, & was determined, if called on by the Coll. or Marshal, to take the most effectual measures to enforce obedience.

The Collector, the Marshal and myself repaired to the Fort shortly after for the purpose of sending to Crany Island and Lambert Point two twenty-four pounders on each to prevent their retreat, but we were much disappointed when we heard from Capt. Hannah that they had neither Cartridges, Spunges, Rammers, Prickers or Horns. The Collector then declined, calling on me officially for the aid of the Military, supposing it better to decline any effort unless it could be attended with probable success. In this I concurred with him. I have been particular in stating this business, in hopes that measures will be taken to enable the Officers of Government to enforce obedience to the laws.

I am, &c.

William Lindsay to the Governor.

Aug. 23d

Collector's Office, Norfolk

Previous to the receipt of your letter of the 18th, the Schooner Nonpareil had removed towards Crany Island. I delivered the Deputy Marshal the process against her on the afternoon of the 20th, & the next day he attempted to serve it, but was prevented from going on board by the crew. Immediately on his return, he informed me of the circumstances, when I consulted with General Mathews on what measures were to be taken. He was of opinion with me, that any attempt that could be made with the Militia would in all probability be rendered ineffectual, and that to hazard an unsuccessful attempt would be improper.

The schooner went off that evening.

I am, &c.

1794. WILLIAM PENNOCK TO THE GOVERNOR.

Aug. 24th Norfolk

Being appointed Naval Agent, I have been looking out the most proper place to set up the Frigate proposed to be built in Virginia, and finding none so fit as the Public property at Gosport. Having made some contracts for Timber, it is necessary a yard should be immediately inclosed. You will much oblige me by informing me as soon as possible whether I may take possession of the property above mentioned that we may go to work immediately.

I am, &c.

Aug. 25th H. KNOX TO THE GOVERNOR.

War Department

Your Excellency's letter of the 2d instant, was duly received; in which you say, "I wrote to you or the Secretary of State from Norfolk on the subject of the vessel belonging to the British Consul, and taken possession of by Gen. Matthews for reasons assigned by that officer to me and transmitted to you. This vessel will be ruined unless owned by some one soon."

It does not appear upon the most thorough examination that either the Secretary of State or myself have received the letter to which the above extract alludes. I pray, therefore, that you would have the goodness to state the circumstances to the Secretary of State, as I shall be absent for some time, and he will attend thereto. The British Minister indeed complained to the Secretary of State that a vessel had been stripped of her sails upon some idea of her sailing contrary to the embargo which then existed.

In case that circumstances unfortunately should more strongly than at present indicate, the idea of our being involved in a war, the armed vessels will be resorted to for the protection of our bays. But at present the President does not conceive himself warranted in going to any expence upon that subject.

I have, &c.

Aug. 25th GENERAL ORDERS.

Richmond, August 22nd, 1794.

Lieutenant-Colonel Wells, commandant of the twenty-ninth regiment, composed of the militia of Isle of Wight, is arrested by order of the Commander-in-Chief.

A General Court-Martial (consisting of one Brigadier-General, four

Lieutenant Colonels Commandants, four Majors, and four Captains) is hereby directed to be assembled at the city of Williamsburg, on the 13th day of September next, for the trial of Lieutenant-Colonel Wells, Commandant of the 29th Regiment. 1794. Aug. 25th

The fourth division will furnish the members constituting this court, whereof Brigadier Young is appointed President.

The gentlemen are requested to be punctual in their attendance, as the President will be ordered to proceed upon the trial at the hour of eleven in the forenoon.

By the Commander-in-Chief.

Attest:

SAM. COLEMAN, for
SIMON MORGAN.

This copy was enclosed in Gen'l Young's letter.

Lieutenant-Colonel Wells, of Isle of Wight:

You will receive herewith the General orders of this date, together with a copy of the charges for which you are arrested.

You will of course consider yourself in arrest, and consequently suspended from the use of every authority vested in you by the commission with which you have been honored, until the termination of your trial.

You will also receive copies of blank summons which you will use to bring forward all such evidence before the court-martial as you may deem material to yourself.

W. TATE TO THE GOVERNOR.

Aug. 26th

Washington county

I have nearly completed the distribution of the money with which I was intrusted, and have hopes will be able to give satisfaction to the Executive respecting that business. Capt. Lewis' company received 4,228 dollars, which was the proportion due to them, and the Captain out of favor to his men, suffered them to receive their full proportions as they were in great want of the money notwithstanding he had claims against a number of them for money he had advanced and necessaries he had furnished to the amount of three thousand and thirty-nine dollars, which is nearly the amount of what is now due to Captain Lewis' Company, for which he has furnished me with orders from the soldiers and might have demanded the greater part of the money agreeable to instructions delivered me, but from the solicitation of his men he chose to wait for his money thus advanced until the next payment. But from an unexpected change in his affairs, he is now very much pressed for the money he might have had in his possession, and says he fears

1794. Aug. 26th will suffer much for want of it. If therefore the state of the treasury will enable him to receive the amount of his claims as herein stated, it would greatly relieve him from his present difficulty. The soldiers receive the bank notes with reluctance, and none being of less dignity than 50 dollars, it is difficult to get change.

Sir, I am, &c.

Aug. 27th

JOHN STEWART TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Adjutant-General's office, Richmond

The orders of the 22d are complied with in the following manner:

The four brigades composing the fourth division are each directed to furnish one of the Colonels, one major, and one captain, containing in toto the exact number of members necessary to constitute the general Court-Martial to be holden in the city of Williamsburg, on the 13th of the next month.

Seeing that this arrangement goes to a full compliance with the orders of the Commander-in-Chief, it is humbly conceived that without usurping the exercise of a very important power, the adjutant general can go no further; and that if, (to prevent the possibility of the object being defeated by the non-attendance of a sufficient number of officers to constitute the court-martial) any additional number of officers is deemed necessary, a special order of the Commander on the execution will be furnished him.

For SIMON MORGAN, Adj.-Gen.

Aug. 28th

E. LANGHAM TO THE GOVERNOR.

Point of Fork

I send by Mr. Alloway my acc't for provisions furnished till the 1st of Sept., which I hope will be paid to him. Should it so happen that there is no money in the Treasury you was pleased to say you would give me an order to the Sheriff of Fluvanna. Your Excellency will much oblige me by directing Mr. Alloway what to do with the Auditor in order to obtain the money or order on the Sheriff (the money will be far most acceptible).

I would not trouble you so far on this subject had you not promised your attention when I saw you last.

I think it would be advisable in the Hon. the Executive to think something of the supplies of the post after my contract ends, which is the 11th of January next (a very unreasonable time for contracts of the kind to be made). I am willing to continue the contract till the 10th of June next, which will be a more proper time for such contracts to be entered into. If the Executive should not think proper to order a continuance of the contract till June next, I think it would be ad-

visable to open a new one in September or early in October to continue the 11th of January. This would give the Contractor time to lay in his provisions in the cheap season of the year. I mentioned the subject to Major Quarles, who tells me 'tis probable that matters will be so arranged. that each man or each Mess will find themselves. 1794. Aug. 28th

I am sure in my own mind that the Executive will not adopt such a measure for several reasons that might be advanced. I have always conceived that the object of the board in employing a Contractor was to prevent any loss of time and attention by the Supt. and the men employed.

With submission to their bitter judgment, I have, &c.

WILLIAM MCCLEERY TO THE GOVERNOR. Aug. 28th

Your Express arrived here to-day with sundry letters addressed to the care of Mr. Thomas Wilson, who happened not to be at home; thinking it right (in this alarming time) I received the papers and Passed a receipt for them. Mr. Wilson will be home to-morrow, and no doubt will send them instantly forward to their address. Morgantown

We are all in this, Harrison and Randolph Counties in Peace, and also Ohio with some exceptions. A state of neutrality is all we are able to support, and indeed we are, in this town, much threatened even for lying still by our Powerful neighbors. However, I trust we will support it until Government takes measures to bring about Peace. The Commissioners who attended at Pittsburg by order of the President of the United States, and also by order of the Governer of Penn'a have met, but nothing hath yet transpired that can be relied upon. A committee of 12 men of the insurgents met them, and it is reported that no terms but a repeal of the excise will be accepted by the People; however, this is only report.

I am, &c.

J. AMBLER TO THE GOVERNOR. Aug. 28th

The enclosed letter, received by last night's mail from Mr. Secretary Randolph, must, I presume, have been intended to be laid before the Hon. the Executive. I therefore do myself the honor to transmit it. Treasury

Having no information as to the amount of the arrearages of Taxes now due, nor when they may be expected to be brought into the Treasury, I cannot even conjecture when we shall be in a situation to comply with the claim on this State on account of the federal Buildings. At present we have two thousand dollars in the public Chest, and there are claims daily brought in to a great amount.

I am, &c.

[Enclosed not found.]

1794. City of Washington, Aug. 27th, 1794.

Sir:

Aug. 28th Since the Commissioners Separated, circumstances have appeared which induce me to trouble you on the subject of the money payable by the State of Virginia on the 3rd Donation. These circumstances are of such a nature as to admit of no delay in the payment without considerable risk of material injury to the City.

I have, &c.

His Excellency Governor Lee.

Aug. 28th THOMAS PETER TO ———

Cabin Point, Surry county Waiving his right to the Sheriffalty of Surry and recommending Wm. Edwards for same.

Aug. 30th JOHN HOPKINS TO THE GOVERNOR.

Richmond The enclosed letter was transmitted to me by Mr. Carroll, one of the Commissioners of the city of Washington, at the same time desiring I would acquaint him the prospects of payments from the State on the third donation to that city. It will therefore be very pleasing to me to be informed when I may expect a payment on the President's warrant for this object that I may give the desired information.

I have, &c.

Aug. 30th HUGH CAPERTON TO THE GOVERNOR.

I had the honor to write to you by Mr. Breckenridge, respecting the trial had on me before a Court Martial, and demanding a rehearing in Consequence of my not having an opportunity of completely defending myself, as very material witnesses could not be procured on the trial. I have the honor now again of repeating the same request, to justify me in which I take the liberty of inclosing certain affidavits which will show your Excellency my innocence of charges that seemed to be left in doubt before the Court Martial, not being able to procure testimony on those points at that time, charges in their nature, if true, are not only sufficient to disgrace me as an Officer, but go to the destruction of my character as one of the community. It therefore behoves me to avoid no opportunity to place my character in that point of view it ought to stand, for feeling the innocence of my intentions in every of my conduct throughout the whole transaction, it can not be other than extreme mortification to me, that I should be charged with such criminal

offences. These feelings then I hope will plead my excuse for the solicitude I discover on the occasion. 1794. Aug. 30th

The particular charge which was left most in doubt, and which most severely wounds my feelings is, the charge of the extraordinary transfer of certain Soldiers, and verifying the dates of their enlistment on the first day of December, 1792, as if in the County of Kanawha, when at the same time, I was in the County of Greenbria. Perhaps on first view of the subject, it may wear an aspect which explanation will disipate. Your Excellency will observe by the affidavit of Reuben Slaughter, one of the men named in the charge relative to the extraordinary transfer, that on his application to be enlisted I agreed to the enlistment, but on the same, observed that he could only draw pay from the time of enlistment; but being some time afterwards told by Col. Clendenin, the Muster Master, that the said Slaughter had been in actual service and was Mustered by him as on the 15th of March, this being the case, and under the idea of Slaughter's being enlisted either by some of the Sabalterns or by their directions, I could not give any other opinion than that the time of mustering would regulate the pay, and therefore, if any fraud or misconduct has been committed, it was done by the Muster Master who was appointed by the Executive, and not by myself. Your Excellency will also observe by the other depositions, that I proved the enlistment of the soldiers of extraordinary transfer, only as a list delivered to me by the Muster Master, and as I thought under the authority of the order of Council, which directed that the muster rolls must be verified by the oaths of the commanding officers of the several Detachments. This also was the opinion of Col. Lewis with whom I advised at the time, having scruples on the occasion; and in consequence of these scruples, made those reservations in my affidavit that are alluded to in the depositions. Col. Lewis is ready to verify this conversation, and would have done it on a former occasion, but supposed that the list he forwarded would fully answer my purpose in relation to it. After this explanation, aided by the enclosed affidavits, I trust there will be little doubt on your Excellency's mind of my innocence. In order more fully to manifest this, I solicit you, Sir, who have always discovered a promptitude to promote justice and defend the injured, to direct another Court Martial to take up the subject, before whom I am so satisfied of my being able honorably to acquit myself, that I feel no disposition to shrink from the enquiry. My object, Sir, is to justify myself to the World, and a rising family who may be injured by the stigma that may be placed on me. As to myself, my conscience acquits me in every particular. I shall, therefore, avoid any advantage I might have by the former Court Martial, being in part composed of members who were not in commission, in part junior Officers to myself, and before whom testimony was received by affidavits that had neither time or place inserted, and not taken before a Justice of the Peace.

1794. Aug. 30th

I say, sir, I mean to take no advantage of these errors and omissions, but desire a fair and impartial investigation into the business. This I trust will be denied no citizen of this country who conceives himself injured, but that the doors of justice will be open to him while he has a defence.

Under these impressions, I shall rest satisfied till I have the pleasure of hearing from your Excellency.

I have, &c.

August 18th, 1794.

Kanawha County, to-wit:

This day Reuben Slaughter, at the request of Captain Hugh Caperton, came before me, Andrew Donnally, and made oath that some time on the last of April or first of May, 1792, that he applied to Capt. Hugh Caperton to list in his company of volunteer militia, which said Caperton agreed to, but refused (after being asked) that he should have pay only from the time of enlistment, but shortly after he was in the presence of Colonel Clendenin and Captain Caperton, and the same subject was, namely, that of pay from the 15th of March, which was concluded on as the said Slaughter had been in actual duty some time before the arrival of said Caperton, and as near as he could recollect, Col. Clendenin said he had mustered, and would return him as mustered, from the said 15th of March, which said Caperton said would regulate the pay, and then received him as a soldier in his company; and he further saith that there appeared nothing to injure or defraud, either Commonwealth or any individual thereby, and that he never asked leave of Captain John Morris, or considered himself under any obligations as a soldier in said Morris' company, except on any immediate invasion.

Sworn to before me this 18th of August.

ANDR'W DONNALLY.

Kanawha, to-wit:

This day Samuel Henderson came before me and on his oath do say he was present at the house of Colonel Donnally on the 3d day of March, 1793, where he heard Capt. Caperton repeat to Colonel Clendenin his doubts respecting the way the said Clendenin had made and proved the muster roll.

Clendenin said it was dun wright, he would maintain, or words to that effect. Caperton said he feared it would operate against him, and would much rather go to the point and have Colonel Lewis to do it. Caperton, he believed, wished to have it dun right from the way he expressed himself.

Given under my hand 18th August.

ANDREW DONNALLY.

Kanawha, to-wit: 1794.

This day Lewis Booton came before me, a Justice for said county, Aug. 30th and on his oath do say that on the 3rd day of March, 1793, at the house of Colo. Donnally, Capt. Caperton Requested him to call upon a Justice of the peace to please to come into s'd Donnally's Room—Caperton did not direct him to call any purticular Justice—only as he wished to prove a muster Roll. Your Deponent do say he executed the request. Lanard Morriss came into the said Room when Caperton was, in order to sware Caperton to his muster Roll. Caperton observed to Mr. Morriss he could not sware actcarratly to the inlistment stated in said roll, But could swear from the list on Return made By the Colo's Clendinen and Lewis, or words to that Effect.

Your Deponent do further say, Caperton informed him previous to the 3rd day of March, 1793, he could not sware to the Date of the inlistment of the men in his company rolls in the County of Kanawha, only from a List given him by Clendinen and Lewis.

Your Deponent Do further say, Capterton allways appered to be very reserve in giving Testimony before and at that time so far as his acquaintance extended.

LEWIS BOOTON.

Sworn to before me this 19th August, 1794.

ANDREW DONNALLY.

19th August, 1794.

Kanawha, to-wit:

This day Andrew Hatfield, a corporal in Capt. Caperton's Company of volunteer militia, in 1793, came before me, and on his oath do say he was at the house of Colo. Donnally on the 3rd day of March, 1793, where Lenard Morriss, Esqr., was about to qualify s'd Caperton to a muster Roll. S'd Morriss appered to be in a great hurry, and mentioned something Respecting the oath Caperton should take. Caperton refused, and said he would sware himself. I had often, previous to his proving said Roll, heard the said Caperton say he had not Listed himself any part of his company mustered in the county of Kanawha.

Sworn before me the date above written.

ANDREW DONNALLY.

20th August, 1794.

Kanawha County, to-wit:

This day Laban Booton came before me, a Justice for said County, and on his oath do say, Some time in 1792 he was present with Colo. Clendenin, Colo. Lewis, and Capt. Caperton at Point Pleasant at a time

1794. Aug. 30th

a Deed ware acknowledged, Lewis to Stewart. The Colo's Clendenin and Lewis Delivered to s'd Caperton a list that he understood contained the names of Andrew Donnally, Sen'r, Andrew Donnally, Jn'r, Ruben Slaughter, and Edw'd McCleery, togather with those Lewis had mustered as part of s'd Caperton's Company, being Lt. Cooper's Detachment. Your Deponent thinks he had often heard Colo. Clendenin inform Capt. Caperton he had Listed and mustered s'd four men as part of his Company on the 15th of March, 1792. Your Deponent heard Capt. Caperton say, if they were mustered on that day it would Regulate their pay.

Your Deponent further say, he has heard s'd Caperton say he could not prove his roll only from the Returns made to him Respecting the enlistment. This I have offen heard Capt. Caperton say previous to his proving any of his muster Rolls.

Your Deponent always thought Capt. Caperton very reserved in his conduct in every respect as an officer before and at that time.

LABAN BOOTON.

Sworn before me, the 20th day of August, 1794.

GEO. ALDERSON.

Greenbrier, to-wit:

This day James Kelly came before me, and on his oath do say, he was first Sergeant in Capt. Caperton's company in 1792; generally had his list in possession; never knowed any kind of transfer in said company; never heard of it till Colo. Steele came. Your Depo't has often heard Colo. Clendenin say he had mustered Andrew Donally, Sen'r, Andrew Donally, Ju'r, Reuben Slaughter, and Edward McCleery as part of Capt. Caperton's company on the 15th of March, 1792; and has heard said Clendenin say Capt. Wm. Morris wished him to muster four men, he, your deponent understood, said Morris had engaged. Clendenin said them four men he would not receive into Capt. Caperton's company, and further said the four men never came before him for that purpose. Your deponent was at the house of Colo. Donnally on the 3rd of March, 1793, and heard Capt. Caperton repeatedly express to Colo. Clendenin his doubts respecting the way said Clendenin had made and proved his muster Roll, and said he would much rather go to the point and have Colo. Lewis to do it, and thinks he heard Capt. Caperton ask said Clendenin why the Rolls, he the said Caperton had Delivered him did not do. Clendenin said one Roll was fully sufficient. Capt. Caperton said there ought to be two, and made agreeable to a precedent gave to him by the Executive.

Capt. Caperton still expressed an uneasiness, and said he feared it would operate against him, and said he would not for a thousand pounds have any derangement in his Business. Clendenin in Return said: My

Dear Sir, I would not do anything wrong for the same, or words to that effect, and said Colo. Lewis gave him a power to do so, and said Col. Lewis had been up a few days before and Requested him in a particular manner to do anything in his name Respecting said Roll, and said he had a right to do it his own way as he was muster master and knew how to do business as well as the Executive, and had transcribed Rolls in the same manner. Often your deponent has heard Capt. John Morris say he did not know how many men he commanded in his Company, as Colo. Clendenin Inrolled who he pleased. Your deponent's reason for asking was, he heard Col. Donnally say, the two subaltern officers, Lewis and Shaw, Informed him they did not know that they had a Captain, or that John Morris had any command of them until the muster Roll was made, which I understood was about the Expiration of the Service. He understood the said Roll was made out by Colo. Clendenin, notwithstanding they were stationed within a few miles of where said Morris lived, and the said Morris informed me he drew Captain's pay in said year, which was previous to 1792. 1794. Aug. 30th

The two rolls before mentioned, delivered by Capt. Caperton to Col. Clendenin were made by Robert McKee and your deponent previous to the third of March, 1793, and said Caperton directed said McKee and your deponent to be very careful in fair duplicates of the original rolls which we then had before us, as he would not for the amount have any derangement in that business. He said they were fair duplicates of his original rolls. Your deponent was present at a time depositions was taken between the Commonwealth and said Capt. Caperton, when said Caperton asked Colonel Clendenin what conversation passed when he proved his original roll before A. Prior, Esquire. Clendenin mentioned that Capt. Caperton had scruples, and Lewis and Caperton walked in the yard. Then Clendenin observed to your deponent that he would do a damned clever thing, or words to that effect; and take in the Executive by consolidating the two companys, to-wit: Caperton's and Morris', and swore he was touching them hard, though on a different subject, as he was giving testimony between the Executive and said Caperton. Your deponent mentioned the same to Caperton the same day. Caperton observed to your deponent and said let him go on, he is a cursed rascal. The Executive will discover what Clendenin is, before all is done. Your deponent discovered a disposition to make Clendenin the militia business look more respectable, than to do justice to the subject, to which he was sworn.

Your deponent is of opinion that Capt. Caperton wished to do nothing but impartial justice.

Sworn to before me this 30th day of August, 1794.

G. PEARY.

1794. 30th August, 1794.

Aug, 30th Montgomery, to-wit:

This day James Lacey came before me, a justice for said county, and on his oath do say he was a corporal in Capt. Caperton's company of Volunteer militia in 1792, was mostly stationed at Capt. John Morris'; often had the opportunity of seeing and inspecting said Morris' list of soldiers; never see the name of Andrew Donnally, Sr., Andrew Donnally, Jr., Reuben Slaughter, or Edward McCleery on the said list; but see the above names on the list of said Caperton. Your deponent always thought Caperton truly impartial in all his conduct as an officer. On the contrary, always thought Col. Clendenin designing and parshal, and had grate influence with Capt. John Morriss.

Your deponent has heard said Morriss say he could not write a word or letter.

Sworn to before me,

G. PEARY.

Aug. 31st

OSTER TO THE GOVERNOR.

Norfolk I have the honor of representing to you that an English Frigate, the Terpsichore, is actually anchored in Hampton Roads, having with her a French prize, and that this refuge is absolutely contrary to Article the XVII. of the Treaty of Friendship and Commerce between France and the United States. It is my duty as Vice Consul of the French Republic, earnestly to request your Excellency that you will order that the Frigate, the Terpsichore, go without delay from Hampton Roads, and even the limits of the United States. I will observe to your Excellency that this Frigate has not been forced to enter that river by any tempest or danger at sea, and that she has no more the right of remaining here than she had of taking refuge here.

Accept my respect.

Aug. 31st

C. M. THURSTON TO THE GOVERNOR.

Frederick I find some of the Escheators are proceeding to collect the rents on lands claimed by the Commonwealth, even where no office has been found, and this under the resolution of Council of the 15th instant. I shall be glad, therefore, of advice whether this be the meaning and intention of the Council with respect to that part of the Manor of Leeds and other lands within my jurisdiction as Escheator, and whether I am to proceed to the collection accordingly and by legal compulsory methods.

I have, &c.

EDWARD CARRINGTON TO LIEUTENANT-GOVERNOR WOOD. 1794.

Since my interview with the Executive on Saturday on the subject of the militia of this state destined against the Insurgents in the Western part of Pennsylvania, it has occurred upon conversation with Brigadier-Gen'l Marshall that a considerable alteration may be made in the arrangement of which we have spoken, greatly expediting, and, perhaps, reducing the expence attending their arrival at the places of General Rendezvous, viz: Washington and Fort Pleasant. Sept. 1st Supervisor's office, Richmond

Instead of establishing the sub-rendezvous at New London, Staunton and Culpeper Court House, it appears to me that it would be best for the several Brigadiers from whose Brigades detachments are to be drawn, to be furnished each with a sum of money to be estimated according to local circumstances of difference and numbers, and that they be severally instructed and relied upon to cause the necessary provision in Rations, forage, and transportation to be made for forwarding their respective detachments to such of the places of General Rendezvous as the Executive shall think proper to direct.

The Brigadiers may be authorized to employ each a person as an agent in the double character of a quarter-master and commissary, who accounts for purchases and issues and wagon hire. He may correct and countersign for settlement by the auditor here. A certain latitude may be precribed as to baggage wagons—one for each completed company in a detachment will, in my opinion, be amply sufficient for carrying both baggage and provisions for the agent, as there will be no tents which make the principle weight of baggage in armies; nor indeed do I suppose there will be more of camp equippage than will accommodate the detachment to the General Rendezvous where I expect tents and other camp equippage will be issued from the continental stores. It will be borne in mind, and it might be well to mention to the Brigadiers, that so far as camp equipage carried from home is meant to be debited to the public, due return thereof must be made when application is made for continental supplies in order that it may reduce the drafts from that source.

I expect this evening's mail will bring me a remittance in Bank post notes for the purpose of providing for the march of this militia, and should the place above proposed be adopted I shall be ready to advance to the Executive upon account sufficient for the advances to the Brigadiers, and for the purpose of a full consultation on the subject, I shall do myself the honor of calling on the Board this forenoon as early as the members will be assembled.

I am well assured that it is the wish of the Executive to take every precaution for securing a faithful fulfilment of the calls which have been made for militia on this occasion, and also establishing economy in the use of supplies of every kind, and in the due return to the continental stores

1794. Sept. 1st of such arms and military stores, tents and camp equipage as may be drawn from thence for this service and will not have been consumed. For these objects it appears to me that two appointments should attend this militia throughout the service,or at least until some officers charged with the same duties be met under Federal authority:

1st. An inspector, whose duty it shall be to take post at Winchester in the first instance and to appoint a deputy at Fort Pleasant, should he find it necessary, to inspect the detachments as they come and the regiments and other corps once a week afterwards, not only as to members and grades, but as to equipments of every kind weekly; to compare his rolls with the books of the contractor or commissary of provisions to check the issues. The like comparings may be had between his Inspector and the Quartermaster hereafter, who I beg leave,

2d'ly. To propose shall be vested with the double character of Quartermaster and Commissary of Military Stores, and to pass alone all receipts to the Continental Agents for whatever may be purchased from the United States for the equipment of the whole body of Virginia militia going out, and who shall be held accountable for the due return thereof, so far as shall not have been consumed at the end of the service.

The Secretary of the Treasury requests me to obtain from the Executive an accurate idea what arms and accoutrements, if any, are wanted, and is desirous that the demand may be narrowed as much as possible. I shall be much obliged by as early information on this point as can be had, that there may be sufficient time for supplying the deficiency.

I have an order on Capt. Holt, the store-keeper at New London, for all the arms, ammunition, and accoutrements, and camp equipage in his possession, or so much thereof as shall be necessary; and shall take measures for their being delivered to your officer as soon as I am informed what will be wanted.

I have, &c.

Sept. 1st Petition of John Jones for remittance of fine for non-payment of revenue tax in due time.

Certificate of S. Shepard that the interest, principal, and cost on judgment against John Jones, sheriff Dinwiddie, was paid prior to July 1st, 1793.

Sept. 1st SAMUEL HOPKINS TO JAMES WOOD, LIEUTENANT-GOVERNOR.

I was this day honored with your Dispatch of 30th ulto., covering the orders of that date. I shall not lose a moment in having them as fully executed as I can.

With great regard, I have, &c.

N. B.—This dispatch was delivered me 100 miles from Richmond.

WILLIAM LINDSAY TO THE GOVERNOR. 1794.

Sept. 1st
Collector's office, Norfolk

A British Frigate called the Tirpsichore, arrived in Hampton Roads yesterday morning accompanied by a French Privateer Schooner called the Montague, a prize to the said Frigate. I have also been informed that a British Merchant Vessel, recaptured from the French, put into the Roads last evening, and that the master or super cargo of said vessel is now in town endeavoring to procure seamen to prosecute their voyage to England. What stay these vessels mean to make here I know not.

I understand that part of the crew of the above Privateer consists of Americans, and that they are now confined in irons on board the Frigate.

I am, &c.

BENJ. WILSON TO THE GOVERNOR. Sept. 2d

Harrison county

Yesterday Capt. John Haymond favored me with a sight of your letter to our County Delegates, with your Proclamation on the subject of the Rebellion in the State of Pennsylvania. For my own part, I am highly pleased with your procedure, as it is Instant Balm to the few who speak their sentiments free and open in favor of Government. I believe there is but few in the Counties of Harrison, Monongalia and Randolph who will dare to appear in arms when the Standard of the United States is Displayed at the head of our Federal Army. I find the greater part of the Influential Carracters in the County's above Named, in favor of the Excise Law—and none but Col. Geo. Jackson (our County Delegate) that have appeared to give Strength or Comfort to the Disafected part.

Therefore, in duty to the Government and laws that I esteem, To the Executive of the State to which I belong, and in answer to a good conscience, I must crave your Excellency's Patience until I make a Statement of Circumstances and facts, and in so doing, I shall do my Duty and leave the matter with yourself.

Shortly after the Excise Law was enacted, Mr. Edward Smith, one of the Excise Officers, came to this County, at which time I understood by Col. Geo. Jackson, he was friendly to the law. Some time afterward he declared his intention to hold a pole as a candidate to represent this District in Congress. I was informed about this time that some of the people in Monongalia and Ohio County were displeased with the Excise law. Col. Geo. Jackson after declaring himself, took a Tour making Interest in said two County's, and shortly after his return, I heard he was opposed to the Excise Law—which Immediately struck me, his intentions were to make a bridge of the Excise Law upon which he would walk into the house of Congress. When the election came on he was within five or six votes of being Elected. He has again declared him-

1794. Sept. 2d self, and has been lately down in the said County's of Monongalia & Ohio making Interest against the election to be held in March, 1795, and that your Excellency may judge for yourself, I refer you to the Inclosed papers No. 1 and No. 2, and to the bearer, Mr. Elias Stillwall, who I believe has heard Col. Jackson repeatedly express himself on the subject of the Excise Law—his own declared intention should he be obliged to lift arms—his bringing paper No. 1 into this County, and the effect it had on Mr. Black in his Discourse with a Gentleman in this place, and the Col. saying he would, or wished to be, at the Grand Council mentioned in paper No. 1.

After a survey of these papers, you can judge whether Col. Jackson (our County Delegate) is the proper person into whose hands the peaceful Reign of Government ought to be Intrusted, Either in the State or General Government.

Should you discover a propriety, and feel a disposition to have the conduct and principles of Col. Jackson Investigated, I would not wish to appear as Informer or Prosecutor; as my personal security requires secrecy, as my name, and the name in paper No. 2 can be concealed, and a sufficiency obtained from the Bearer to put the Business in motion. I should apprehend that Col. Wm. McCleery, who is the Deputy States Attorney in this District, and is well affected, would be the proper person. He could be directed to call upon me for the copy of papers No. 1 and the Deposition of paper No. 2, together with all other Testimony that could be obtained to do the laws of the United States and Col. Jackson Justice.

Please excuse my prolixity.

I am, &c.

I expect Col Lowther will write the news of the times.

[Enclosures not found.]

Sept. 2d

R. QUARLES TO THE GOVERNOR.

Barracks Petition of Sergeant John Maddox, Blacksmith John Hicks, and Drummer John Dillard, at Point of Fork, to draw Rations for wives.

Sept. 2d

PETITION OF BAKER PEGRAM.

Praying remission of fine for failing to render an account of Tobacco shipped from Barksdale's warehouse to Oct., 1793.

Sept. 2d

PETITION OF GEORGE PEGRAM.

Praying remission of fine for not returning the account of Tobacco shipped from Barksdale's warehouse to Oct. 1, 1793.

CHARLES HAY TO LIEUTENANT-GOVERNOR JAMES WOOD. 1794.

The printing of the Revised Code of Laws pursuant to an act of assembly passed at the October session, 1792, is nearly completed, and I believe will be finished before the meeting of the General Assembly in November next; but before it is concluded, I must solicit the advice and instructions of the Executive respecting some difficulties which have occurred in the business. Sept. 2d Richmond

One of the laws passed in 1792, is entitled "An act for reducing into one the several acts concerning executions, and for the relief of Insolvent debtors." This law was to continue in force only until the 1st of January, 1794, but as it is one of those which was submitted to the Assembly by the Revisors, and contains a variety of matter of great and general importance to the Community, I presume it was intended to form a part of the Code.

At the last session it was repealed, and re-enacted with two or three alterations of considerable Consequence. This law is also a temporary one. By the act for the republication of the Laws, I am bound to have the Acts of 1792 printed as they were then passed, without regard to anything which may have since taken place; but if this is done with respect to the act above mentioned, it is evident that many inconveniencies may result from it. I hope, therefore, that the executive will say whether I shall leave it out of the Code altogether, or have it printed with a note that it has been repealed, and referring to the act repealing it, or whether I shall substitute in lieu of it the act of 1793 on the same subject.

The Laws passed in 1792 for regulating the militia, for regulating the inspections of Tobacco, and of flour and bread; concerning Juries, &c.; concerning the fees of certain officers; for ascertaining the salaries of the officers of civil Government, and to oblige vessels in certain cases to perform Quarantine, were severally amended by acts passed at the last session.

The Executive will perhaps think it proper that these acts should be printed with those passed in 1792. If this should be their opinion, they will be pleased to give me instructions to that Effect.

I have, &c.

SAM. COLEMAN TO THE LIEUTENANT-GOVERNOR. Sept. 3d

The papers alluded to in the *inclosed letter is not to be found in the bundle of papers containing the remainder of Claims against the Public for the defence of the Western frontier. I suspect that it has been for-

*Enclosed letter not found.

1794. Sept. 3d warded to the Secretary of War without retaining a copy. Perhaps it may be yet in the Auditor's Office. I will enquire.

I have, &c.

Sept. 3d

ALEXANDER HAMILTON TO THE GOVERNOR.

War Department

As it will be highly necessary that the Militia called out by order of the President, agreeably to the Secretary of War's letter of the 7th of August last, should be mustered and inspected at their respective rendezvous, I have to request the favor of your Excellency to appoint some suitable character in your State to perform that service, and that the roles of Muster and inspection be transmitted to the War Office as early as possible.

I have, &c.

Sept. 4th

WILLIAM CARTER TO THE GOVERNOR AND COUNCIL.

Several of the Indians being taken sick since their arrival in this City, and quartering in the house I live in, I have attended them and furnished them with medicine agreeable to their complaint and Request; therefore I hope you'll see me satisfyed.

Sept. 4th

CARRINGTON'S ESTIMATE CONCERNING MARCH OF MILITIA FOR THE SUPPRESSION OF WHISKEY INSURRECTION.

1st division.—Hopkins: To furnish 833 men at a distance upon an average from Winchester 200 miles, for which allowing them to march 20 miles per day, will require 10 days, and five days may be added for lost time; say 15 days in the whole to get to Winchester after being on public expence. Allowing a waggon for every sixty men, 13 waggons at 15s. per day, and find themselves 20 days out, and returning empty, may travel twenty-five miles per day, which will require eight days.

28 days in the whole will cost, - - - - - - - - -	£224
833 men at 7d. per day each, 15 days, - - - - - - -	386
	610

Roger's Brigade: To furnish 608; distance, say 170: 9 days marching and 3 days loss of time will require 12 days.

As principles of estimation for the expence that will attend the marching of the militia from the different Brigades in Virginia to Winchester and Old Fort Pleasant or its vicinity, the following may be taken:

That the subsistance of such men may, allowing for some irregularities in management, cost about 7l. per day; that they may march 15 miles per day including rest days &c.; that an wagon will go for every 60 men, including the transportation of provisions; that these waggons being to return empty, may travel 25 miles per day; and that the waggoners finding themselves 10s. per day may be allowed for each waggon. 1794. Sept. 4th.

Hospital Division. 300 men. distance average 200 miles:

15 days at 7l. per day - - - - - - -		£385 0 0
21 waggons. 15 days out. - - - - - -	£246 15 0	
5 days return, - - - - - - - - -	75 0 0	
		321 15 0
		£706 15 0

Major answered Brigadier-General Biggs in an estimate of Expence, which may probably be increased for provision in marching 300 men from the Brigade to Mannheid, being about 60 miles, supposed to cost 7d. each per day, and to require 4 days, going 15 miles per day, including rest and the rest, &c. - - - - - - - - - - £35 14 0

4 Baggage and provision waggons finding themselves 4 days.

at 10s. per day each going, - - - - - - - -	12. 0 0
Ditto, for returning empty, 25 miles per day. - - - -	9. 0 0
	£56 14 0

Jackson Yard to the Clerk of the Council. Sept. 4th

In answer to your letter respecting Mr. G. Booker's continuance in the office of Sheriff two years, I have to inform you that he, together with William Moore and Wilson C. Selden, Genl. were nominated to his Excellency, the Governor, July Elizabeth City court, 1792; that Mr. Booker, in consequence of that nomination, obtained his commission, but from some casualty did not comply with the Requisites of Law until April court, 1793; from which Period he has continued the acting Sheriff and Collector, &c., of this county. You may therefore conclude that his two years are nearly expired. Elizabeth City county.

You will be pleased to signify the above Information to the Hon'ble Executive.

I am, &c.

Elizabeth City county court, Thursday, July 24th, 1794: Sept. 4th

Pursuant to the Act of Assembly in that case made and provided, the court do nominate Wm. Moore, Wilson Cary Selden, and Geo. Hope for office of Sheriff of said co.

1794. JOHN HAYMOND TO THE GOVERNOR.

Sept. 4th I had the pleasure to receive yours of the 20th August with its inclosure, and happy to inform you that although some people in this county, it is said, have spoken in favor of the distracted Pennsylvanian's proceedings—a very great majority are averse to proceedings so destructive to good order, and subversive of the rights of a free, independent people. I have lately travelled through that part of Pennsylvania so unhappily engaged, and find almost a total neglect of their common interest, merely to gratify that spirit of opposition which deprives them of common civility, as they scarcely let a stranger pass without insulting him, violating their own liberty pole inscription, the first word of which is liberty.

For the conduct of the emissaries of those unhappy people, I refer you to Mr. Stilwell, who, I am informed, was a witness to disseminations for which some doubt whether the persons deserve to be punished with rigour or not. I hope at least they have met with a check which will for the future, deter them from the like conduct. Mr. Stilwell, I am informed, is sent by Capt. Louther for money due the poor soldiers on our frontiers. I know many of them are in great need of money, and as they have hired a man to bring it, I hope, if possible to avoid it, your Excellency will not send him away empty.

I have, &c.

Sept. 5th JOHN HAMILTON TO THE GOVERNOR.

British Consul's office, Norfolk I have this day received a letter from Vice Admiral Sir John Jervis, a copy of which I have the honor to enclose, in answer to one I wrote him containing the representation of the complaint which your Excellency informed me in May last was laid before you.

I have the honor to be with great respect, Sir,

Yours, &c.

Boyne off Gaudaloupe, 22d July, 1794.

Sept. 5th Sir:

I have received with a considerable Degree of Surprize the copy of a letter you have lately received from the Governor of Virginia.

I am so well known to one of His family, I did not think it possible he could have given Credit to such an unfounded Calumny. Until I received the Representation, I was ignorant of the Detention of the Brig in Question. Upon enquiry, I learn that she was adjudged at St.

Pierre, but the Cargo was not appropriated to the use of His Majesty's Ships, nor to my knowledge has any thing been taken out of an American Vessel since my arrival in these Seas. On the contrary, the Masters and Crews have been treated with kindness, and the same assistance given to them as to the subjects of Great Britain. St. Pierre having been taken by assault in the night, some irregularities may have been committed there, but having never received a Complaint upon the Subject, I could not possibly apply redress, which I am always disposed to do. 1794. Sept. 5th

A ship was appropriated for the residence of the Masters and Crews of the American vessels, upon a Complaint from them of their Inability to bear the expence of living on Shore. They were under no restraint, and allowed to go at pleasure to the Continent of America, or to any British or neutral Island in the West Indies

I am, &c.

J. JERVIS.

JOHN HAMILTON, ESQ., HIS BRITANNIC MAJESTY'S CONSUL, NORFOLK. Sept 5th

We, the subscribers being chosen and appointed by Robert Boarland to value and appraise the damages done to ye Public Hospital in the Town of Washington, in the Commonwealth of Virginia, by the French who has occupied ye said Hospital since July, 1793, to this date, to-wit:

To Damages done in the East wing, ye rooms being seperately valued,	£17.16.6
To 500 feet of flooring plank, planed and grooved, fit for laying @ 30s. per 100, now missing and lost	7.10.0
To 4 Work Benches destroyed @ 24s.	4.16.0
To Bricks & Lime destroyed & Loss to Mr. Boarland	20.00.0
To one Pump and Boxes, &c.	2.06.6
	£52.09.0
To Damages done to 6,200 feet of Flooring Plank, which the French has laid as a floor, ye plank being already wrought, planed & Grooved at 20s. per 100	62.00.0
	£114.09.0

Signed by us this 5 day of Sep., 1794.

ONEY S. DAMERON,
PAUL D. LUKE,
GEO. BILLUPS,
EDMUND ALLMANCE,
THOMAS REED,
LEM CARTER,
FINLAY FERGUSON.

1794. THOMAS CHILTON TO THE GOVERNOR.

Sept. 5th Fauquier county — Promises to press the Collection of debts due the Commonwealth with all possible speed.

Sept. 5th ALLYN PRIOR TO THE LIEUTENANT-GOVERNOR.

Richmond — I am sorry to inform your Excellency that I am under the necessity of requesting a second advance from the Public funds to enable me to complete my contract. I am sorry to add, that it principally arises from an unfriendly opposition of Capt. William Morrisey, who had it in his power to have supplied me with as much Meal as I should have wanted for the Troops, had he been a man actuated by good Principles—so far from it, he has denyed me the privilege of his Mill, and has intercepted my letters sent forward from Greenbriar in order to defeat me in the execution of my Office. This circumstance has given me additional trouble and expence—have to transport my provisions altogether from the point, excepting beef, in consequence of his conduct. I hope and flatten myself that I may be considered and that this representation may have due weight with your Excellency and the honorable Board and will therefore see cause to grant me a warrant of one hundred pounds, which will enable me to perform my office independent of the unfriendly part of mankind. The money due the Officers and Soldiers of the Volunteer Militia remaining unpaid to whom I have advanced considerable property is also a disappointment I did not expect.

I have, &c.

Sept. 5th ABRAM DAVENPORT TO THE GOVERNOR.

Berkeley county — Having last month held an inquisition as Escheator of the county of Berkeley, upon four thousand and odd acres of land said to be the property of Mr. Denny Fairfax, it became necessary for me to employ council to advocate the cause of the commonwealth, none being assigned me by any existing law. I applied to Messrs. Robert Page and William C. Williams, and agreed that if they would attend in Martinsburg for the purpose above mentioned, that they should receive twenty-five guineas each, which I considered as a reasonable fee, considering the importance of the cause, and the distance they had to ride, which exceeded sixty miles. They both attended me accordingly, and advocated the cause. The jury did not agree, there being eleven jurors in favor of the Commonwealth, one against. Then permit me to observe that there were three gentlemen of the bar opposed to the commonwealth, and the

argument of the cause took up the whole day, and the executions of the council employed by me were such as to give me intense satisfaction. 1794. Sept. 5th

I am, &c.

DANIEL MORGAN TO THE GOVERNOR. Sept. 7th

Your letter of the 1st instant was handed me by Express. I perfectly understood the orders from the Executive, which Major Parker will explain to you. Saratoga

I am sorry to tell you that the men don't turn out as I expected, to quell this dangerous riot over the mountain. I wished to raise the number called for from the third Division by volunteers, and I yesterday made an attempt in Col. Smith's regiment, but did not get the quota. Some joined the volunteers after leaving the parade. A few are still wanting, but they will be made up. The 51st regiment musters tomorrow, whare we make a second attempt. If we don't succeed, we immediately proceed to a Draft. I have not been informed how the other Brigades of the 3d Division succeed, but have given orders for an immediate draft in case the number is not made up by volunteers, but am led to believe that we shall get near the number wanting. I have given orders to rendezvous at Winchester the 15th, and wish the arms to be sent on that we may be training the men, and withal to serve as a check upon some parts of this quarter of the country, who seem inclined to favor this revolt. I do assure you, sir, that a number of the leading characters in some parts of this country seem very easy about quelling this riot, and am told that a number wish to throw cold water on this expedition. The people in the frontier of Maryland are very refractory. 500 assembled at Hagerstown on Monday last, and set up some of their liberty poles in defiance of the well disposed people of that place.

It is my sincere opinion that a delay in this business will be very dangerous, therefore the arms ought to be sent on.

Dr. Scott wishes to be appointed a surgeon in the detachment from this state if there is a vacancy.

I have, &c.

THOS. PARKER TO THE GOVERNOR. Sept. 7th

I had the honor to receive your letter of the 19th ultimo, directing me to furnish you with a report of the progress made in the collection of debts due to the Commonwealth from my district the first week in November. Frederick county

1794. Sept. 7th

As no executions have ever come into my hands I think proper to mention it to you, as there probably have been an omission in the office from whence they were to issue, or a miscarriage on the way.

If General Morgan should march against the insurgents I shall accompany him, in which case I shall depute a proper person to transact my business as agent for the State in my absence, whose address I will transmit to you in due time.

I have, &c.

Sept. 8th

Wm. Lowther to the Governor.

Yours by express came to hand, and I am happy to inform you that the people of this county have discovered no disposition to aid or abet the lawless Pennsylvanians, but still continue their attachment to our happy government.

In a letter from General Wood I was desired to forward accurate returns of the situation of the Posts, &c. The posts on the river are not yet all fixed. I wrote different times to Captain Bogard to march to the post assigned for his company at Newberry, a few miles above the mouth Great Hockhocking, and he has not complied, and I know not the reason, but expect it is owing to alarms in his own county. However, I learn he is now on his way.

I had appointed the mouth of Middle Island for Ensign Cobern's station. He accordingly marched, but the place being uninhabited, and he destitute of camp kettles, axes, &c., he was under the necessity to return, and is now stationed on a very exposed part of this county till he can be furnished with implements to erect a garrison at the place destined for his station, and I beg that your Excellency will point out the way and manner to procure them.

I am advised we are not justifiable in impressing them. The upper settlement on the West Fork of the Monongalia in this county, is the only part that has suffered this season, and in order to prevent the people from abandoning their habitations, I have been under the necessity of granting them a guard of 10 men. I will further add in justification of my conduct that were all the posts designed, actually established, yet this part of the county will remain uncovered, as the enemy cross the Ohio far below the lowest place designed for a station.

I have also left them two of the scouts for their safety. Should my conduct in this particular give displeasure, I hope to be speedily informed thereof. During the absence of Cobern and men, the Indians made different attacks in the settlement above alluded to; took prisoner a young woman at one place; at another, killed a lad and took three others; attacked a third house, were repulsed, and returned after killing a number of cattle, &c.—taking no horses, and observing the greatest caution in their retreat.

The party that attempted to pursue them could not. I immediately sent an express to Ensign Jenkins at the mouth of little Kanawha, who discovered where they crossed the river below Belville; pursued, overtook two Indians—killed one and wounded the other, and recovered the scalp of the young woman mentioned above to have been taken. 1794. Sept. 8th

I have lately visited all the stations already fixed on the Ohio, and to my great satisfaction, found no defect either in spirit, discipline, provisions, or anything else, but believe the men do their duty like alert soldiers.

The Bearer, Mr. Elias Stilwell, is duly empowered by me to receive the money from the public due this county for 1793. I hope the papers are in due form. You will please to consider that we received none of that money sent by Gen'l Tate, and it is very expensive to send so great a distance and be disappointed, and demands of those interested are urgent, and if nothing else can be done you will be so obliging as to order warrants to be issued to the general claimants.

I have, &c.

About the middle of Nov., 1793. Sept. 8th

Being on a scout with Capt. John McCullock on the waters of Licking Creek, a branch of Muskingum about 60 miles from the forks of Muskingum, as near as I can guess, was found two Indian camps. Capt. McCullock had 30 men including himself. He divided his party equal, and sent Lieut. Biggs to the upper camp with one-half the Men, and went to the lower one himself, where he divided his party in three parties, and sent Ensign Morgan to his right round the camp, and sent three men over the creek, and ordered both parties to go as near the camp as they could without being discovered, and lay on 'til it was daylight; and he himself advanced within about forty or fifty yards of the camp, and we lay until about sunrise, when there came out an Indian on the side of the camp that the captain and this deponent was on, when the captain fired at him, and called to his men to rush on and fight, when the capt. and his party run to the camp, and on the other side met Ensign Morgan with four prisoners. The capt. immediately ordered out some sentinels, when Capt. McCullock said: I wonder what is the matter that Lieut. Biggs has not fired on his camp, and gave order Immediately to start to join Lieut. Biggs. We started, and went about two hundred and fifty yards, as near as I can guess, when we met James Ryan and Martin Craw, two of Lieut. Biggs' party. The capt. asked them what was the matter; they said the Lieut. had ordered a retreat without firing on his camp, and said there was Indians enough at the camp he was at to whip us all to pieces. When the capt. gave orders for us to turn back to the camp he had taken, to take care of what had

1794. Sept. 8th. been taken. we had not been at this lower camp but a few moments, when firing began. The capt. immediately ordered us to throw down all the plunder, and run to the assistance of Lieut. Biggs. We run towards the firing about a Quarter of a mile, as near as I can recollect, when the capt. called out to tree. When we saw Lieut. Biggs and some of his party on our wright, we turned and run up to him, when some of the party asked Lieut. Biggs what was the reason he had not fired on the camp. his answer was, that he saw too many Indians, or he said he saw at least forty at one sight, and further said that he saw Indians enough at the camp he was at to whip double our number, and some of his party told him that they saw another camp. The captain gave orders for us to run for our Blankets, and to tye up everything and to retreat for home, and ordered Lieut. Biggs to keep up the rear, and this Deponent stayed with the Lieut., and Capt. McCullock ordered the men to keep as close together as they could so as not for two of them to walk in one track, and to make as little signs as possible. At every halt the capt. sent men back on their trail some Distance. When we had returned to where we had left a party on Muskingum encamped, I happened to be passing by where Capt. McCullock was, when I heard some words between him and Lieut. Biggs. Capt. McCullock said he could sware it. Lieut. Biggs replyed that if you wanted, you could sware false. The capt. said to Lieut. Biggs: Give me none of your Insolence, for that he would have him before his betters. This deponent sayeth that on the Retreat home he heard Capt. McCullock order the men not to give any Insolence to Lieut. Biggs, as they were often throwing up his bad conduct to him, and the Capt. and Lieut. messed together all the time of this scout.

ALEXANDER MITCHEL.

Sworn and subscribed before me this 20th day of Aug., 1794.

ROB'T McCHOES.

Sept. 8th To all whom it may concern:

We certify that Capt. John McCullock has been an Inhabitant of this county for many years, and conducted himself becoming an officer and soldier, and has demeaned himself as a peaceable citizen. Given under our hands this 19th day of August, 1794.

DAVID SHEPHERD,
EBENEZER ZANE.

West Liberty, August 20th, 1794.

Sir:

Agreeable to orders I received from Brigadier-General Biggs, I summoned a General court martial to meet at the Town of West Liberty, on the 11th day of this Instant, for the tryal of Capt. John McCullock.

1794. Sept. 8th

The opinion of the court, together with the several depositions of the respective witnesses I have herewith inclosed.

Not having it in my power to send those proceedings to you in any other way than by express, I have employed the bearer, Mr. Zacheus Biggs, for that purpose. I therefore expect the Executive will make provision for satisfying him for his service.

I have, &c.

MOSES CHAPLINE.

I do certify that Capt. John McCullock, at his tryal on the 11th day of August, 1794, moved the court martial for leave to take the deposition of Alexander Mitchell before a justice of the peace, who was summoned to attend as a witness in behalf of said McCullock but could not on account of said Mitchell being sick, which motion was submitted by me to the said court for their consideration who were of opinion that they were not authorized by law to grant the same.

Given under my hand, this 23rd day of August, 1794.

MOSES CHAPLINE,
Pres't Court Martial.

I do hereby certify that Mr. Joseph Biggs, at the tryal of Capt. John McCullock, on the 11th day of August, 1794, moved the court martial for leave to take the deposition of Serg't Leroy Morgan before a justice of the Peace, who was summoned to attend as a witness in behalf of the Commonwealth, but could not, on account of the said Morgan being sick, which motion was submitted by me to the said court for their consideration, who were of opinion that they were not authorized by law to grant the same.

Given under my hand, this 23rd day of August, 1794.

MOSES CHAPLINE,
Pres't court martial.

Richmond, 8th Sept., 1794.

Dear Sir:

In consequence of my doing my duty in arresting Lieut. Briggs, and his being cashiered for his misconduct last fall, I find that I have caused some of the first officers of Rank in Ohio county to be my enemys, and have been arrested and tried by a court marshall by order of the Executive, in consequence of charges alledged against me by Lieut. Biggs, and as I did not conceive that I had a fair trial, the court marshall refusing to admit me to take the testimony of some of my witnesses that were sick and not able to attend the trial before a justice

1794. Sept. 8th

of the peace, or any other way except before the court. When I applyed to them for leave to do it, and being told by the president of the court martial that a brother of Lieut. Biggs was to come forward as express to the Executive with the proceedings of the court marshall, I did not think proper to send my papers with him, therefore came forward to Richmond myself, thinking to be here when the proceedings of the court martial came to hand, so as to lay before your Excellency some papers with the testimony of one of the witnesses that was sick, and whose testimony I procured before a justice of the Peace after the trial; but do find altho' the president of the court told me that the proceedings of the court martial would be sent off on Saturday, the 23rd of August, which was the day I left home. Their not coming to your Excellency yet, gives me reason to believe that they are kept back on purpose, since it is seventeen days since they were to have started.

Being satisfied that I have done my duty to the best of my ability since I took command of the Rangers, but finding that my character might be in danger by being misrepresented by some people that would wish to injure me, I have enclosed a certificate for your Excellency's information about my conduct for these many years past, and am bold to say that I can support as good a character as a citizen and a soldier as any officer in Ohio county. As for the duty of an officer, I do not know that I am a judge; but do think that I can make it appear that I have done my duty as well as any officer in the Ranging service, if not better. Therefore look on the charges alledged against me by Lieut. Biggs to be Malitious, and do hope when your Excellency comes to take any review of the whole that you will see that it has been done out of resentment.

I conclude, not doubting but you will do justice to

Yours, &c.,

JOHN McCULLOCK.

Governor Lee.

West Liberty, August 25th, 1794.

Dear Sir:

I was duly honored with your letter by Mr. Williamson. I must beg leave to trouble you once more with a few lines on different subjects. As to Indian affairs, which is the common topic with us, we have had little damage of late—one man was killed on Muskingum above Wolf creek, on the 15th inst. No damage since.

The detachment of Troops ordered on the river from Harrison, came on to Charlestown the 3rd inst., and there detained until the 11th, on account of no tools to build block houses on Middle Island, that being the place they were to take post.

After their departure, I have it from good information, that the officer reported that the contractor could not supply provisions neither at Charlestown or Middle Island, and instead of remaining at the post

ordered to, is gone on the Muskingum, and perhaps home to Harrison again. 1794. Sept. 8th

I take the liberty of enclosing, or rather annexing a copy of provision receipts given at Buffaloe, as I have the honour to transact the business for Mr. Charles Wells, one of the contractors; that in case any report to the prejudice of Mr. Wells should be sent forward. Your Excellency can better judge of the authenticity of such information, which will, if any, be forwarded through Col. Louther.

I have, &c.,

JOHN CORNELL.

Received August 11th, 1794, of Chas. Wells, contractor, twenty-one hundred and twenty complete rations for the use of my detachment. Sept. 8th

JONATHAN COBURN, Ensign.

(A Copy.)

Received Aug. 11th, 1794, of Chas. Wells, contractor, seven hundred and sixteen complete rations for the use of my detachment on their way to Middle Island.

JONATHAN COBURN, Ensign.

(A Copy.)

In addition I furnished three barrels of flour, ten gallons of whiskey, cheese, Bacon, &c.; also one large canoe to assist the transportation to Middle Island.

I am, &c.,

JOHN CORNELL.

GEORGE JACKSON TO JAMES WOOD, LIEUTENANT-GOVERNOR. Sept. 9th

I do myself the honor to inform you the riotous party in our sister state against the Excise Law seems as if they are disposed to give up their violent opposition, and become good citizens, but the truth of this I am not certain, but was yesterday informed by a gentleman of character immediately from there, and the officer of Morgantown, who I am informed are very scaray, is got home again. Harrison county

The Indians is, and continues to alarm us very much. In the cource of last month they killed and took 5 people out about 18 or 20 miles of Clarksburg, and attacked a man and his family in his house with a very heavy fier from the Indians, but was repolst, &c., and they have killed more cattle in our country this season than ever they done of a summer before.

1794. Sept. 9th

I will take the liberty to recommend Mr. Stillwell to your notice, a gentleman of my acquaintance who is come upon business of Colonel Lowther's. Any services you can render this gentleman shall be highly acknowledged by me.

I would thank either of you gentlemen to drop me a line informing of me when the Assembly is to meet this fall, as I do not no the day, but have heained it the 2nd Monday in November next. I intend to be there on the day.

I am, &c.

Sept. 9th

GEO. JACKSON TO THE GOVERNOR.

Harrison county

I received your letter and proclamation by Express relative to the rioutous party in Pennsylvania, and am happy to inform you there appears to be no Disposition in our parte of this State to use violence against the Gen'l or State Government or the laws thereof. The great concern we are in at present, is the crualitys the savages commits upon our frontiers, &c. In cource of last month they killed and took five people in about 18 or 20 miles of our Court House and don other damage considerable. I fell in with a gentleman on Sunday last directly from Limestone in Kaintucky, who sas Gen'l Scott with his Militia beseged and took Glasstown, a noted harbor of the Indians—Killed and took 300 of them with the loss of about 70 of our men, and that Gen'l Wain was within about 4 miles of the town where Scott lay. The truth of this I expect you will soon be informed of.

I understand the rest of our Western Breathern have received sum of their money for their Scouts and Rangers.

I am sorry to inform you I am afraid we may suffer by our county not getting theirs, &c., as good men is hard to procure for our defence, and them we must have or giv up our country to the Indians until we have peace with them, &c.

I have, &c.

Sept. 10th

THOS. NEWTON, JR., TO THE GOVERNOR.

Norfolk

Having applyed to the Treasurer for the money lent by the Boro. to supply the French distressed from St. Domingo, we have engaged to build a work house and depended on being reimbursed for payment. Your Excellency will oblige us much by having the amount paid Mr. Brough.

The Canal will also want the payment now called for, which we shall also be glad to be paid him.

Yours, &c.

THOS. NEWTON, JR., TO THE GOVERNOR. 1794.

Agreeable to promise, I now write you, the artillery company have mounted guard ever since you left us and have engaged for a month. We are at a loss how to supply them with provisions, &c. I have wrote to Mr. Graves to do it in the same manner he has the labourers heretofore, which you'll please to inform me if right, and they request to know whether they are to be paid by the U. S. or State. Sept. 10th Norfolk

Two company's of our Militia worked one day on Fort Nelson, but none of the country have as yet. I shall give every encouragement in my power to the expediting of the Fort, and,

I am, &c.

SAM. COLEMAN TO THE GOVERNOR. Sept. 11th

The repairs needed to the Capitol again reported. Richmond

PETITION OF HUGH CAPERTON TO THE GOVERNOR. Sept. 11th

As the business which now comes before you both with regard to its nature and tendency is a matter of the utmost importance to me, it ought to be (and I make no doubt but will be the case) discussed with all that wisdom, reflection and fellow-feeling which becomes so honorable a body. If my request, which I am about to make, shall appear inconsistently with the laws of my country, or with the laws of justice, I wish it not to be granted; for if I am not mentally a stranger to myself I would not, were it in my power, supersede any of my country's laws by any measure whatever to serve my own purposes.

With respect to the charges alledged against me, I trust you will seriously reflect from whence they came and the cause thereof. I had Col. Clendenin's certificate to govern me in the affair of what is called the transfer, and he was Muster-Master. I am fully persuaded that I can prove there was no kind of transfer. I think the accusation setting forth the extraordinary transfer of Donnally and others, says that I received them as soldiers in my company since the 6th day of May, 1792. You may find by the testimony of Col. Donnally that he considered himself as belonging to my company from the 15th day of March feregoing, and never knew that he belonged to Morriss' company at all, and consequently the charge respecting him must certainly be groundless. The testimony of Reuben Slaughter amounts to the same effect, which may be discovered on examination thereof.

You will please also to have Reference to the Testimonies of Kelley

1794. and Lacy, who have proved also that they never knew of any kind of
Sept. 11th transfer. Booten and others declare to the same purpose.

The testimony given by John Morris to support what is called the Transfer, is without date and place, and is not taken as the law directs.

I think with his Excellency, that no attention should be paid to such Depositions, and I trust that your honorable Body will discover the Illegality of such procedure generally; if so, the Court Martial had no proof to govern them in their decision.

The law directs that there shall be at least thirteen commissioned officers to constitute a Court Martial. Some of those who composed that by which I was tried were not commissioned; then surely their judgement ought to be arrested. If I were a Militia Officer, why not subject to the commanding Officer of the county? If a regular, why tried by inferior Officers? If neither, why tried at all?

As it may be easily discovered, I have not been dealt with according to Law. I humbly presume your honorable Body will grant me a Rehearing, and that at my own expence.

Should this request be allowed me, it will enable me to bring forward such evidences of my innocence in intention, as will not only console me for what I have suffered, but also, I trust, prove to yourselves that you did not err in your compliance.

I am, &c.

Sept. 11th GEO. W. SMITH TO JOHN WARDEN, ESQ'R.

An explanation of Dunn & Phillips of the reason of their failure to render their account of tobacco inspected at Bowler's warehouse according to law from October, '92, to October, '93.

Auditor Pendleton's certificate thereto.

Sept. 12th JAMES A. BRADLEY TO THE GOVERNOR.

Surry county Having received Division Orders as late as Friday, the 13th of the present month, and on account of my being unfortunately out of my Brigade, I was unable to issue my Brigade Orders for furnishing the quota required from it until the 18th instant, when I issued them with all possible expedition—Orders to the several commandants for their apportionment of men, and directed them to meet at Cabin Point on Monday next (the 15th instant), from which place I intended (without I received further orders) to proceed on with them myself to Richmond, where I expected to receive further orders.

But with much pain and concern do I advise you of an apparent mutiny in my Brigade, and am doubtful from the information I have

received, and part of which, and that too of a very serious nature as I conceive, I take the liberty of enclosing to you a copy of a letter from the commandant of this county, which I acknowledge to be a true copy; also a copy of a piece signed "An Old Soldier," which the bearer of this drew from the original, this being the day it was set up, and it corresponds with the language of a man in this county, which he made use of to two respectable gentlemen of my acquaintance to-day. 1794. Sept. 12th

He mentioned that if a man complied with the Laws of his country nothing more could be expected of him, and quoted the 52nd page, section 5th of the Congressional law.

The name of this man is Major William Boyce of this county (Surry). You will examine the letter sent from the commandant of this county, as also the piece that was this day set up, that I mentioned above. I had a copy taken. You will find it to correspond with my suspicions, and unless a change takes place, which will be more sudden than anything usual, I shall not be able (unless armed with authority and means to enforce obedience to the requisition, to furnish my quota by the time I am desired to do, if ever I am.

Mr. William Nicholson who will bear this to you, a gentleman of information, who I have thought it expedient to send it by with its enclosures, as an express, will inform you of several circumstances very pertinent to the business.

Excuse, if you please, inaccuracies, as I much concerned and write in immence haste. In your answer to me I will thank you to be very particular, and advise me how I am to act; and if I am to inforce your orders, arms and men I am fearful will be necessary to move into my Brigade.

However, you can judge from my letter, it's inclosures, and from the information Mr. Nicholson can give you what is the situation of this county, and what he has heard from other counties of my Brigade respecting the business.

With, &c.

While men are not born slaves in Virginia, but must like other free men be governed by Law and punished accordingly for a breach of the same; but let no man attempt to acceed the Law in his punishment; when free men are ordered to begin a march of five hundred miles at only two day's warning, and that to a cold climate, equip themselves for such an expedition, to make their service tollerable and their lives comfortable, therefore, I think they have a right to enquire into the nature of the Law by which they are thus to be forced. First, what compensation they are to receive for their services, and secondly, what penalty is annexed to that Law for not attending the call. Whether they are to be shot, whether they are to be whip. Whether they are to Sept. 12th

1794. Sept. 12th be imprisoned, or whether they are to pay a sum of money and how much. And I think that those who comply with the Laws of this country a good citizen. Every man was not born a soldier, so that the man who pays his fine, complys with the Laws of his country as fully as he that fights the Battles.

AN OLD SOLDIER.

A true copy.—WILLIAM NICHOLSON.

Sept. 12th LEMUEL COCKE, COL. COMMANDANT, TO GEN. JAMES A. BRADLEY.

Surry There was a matter happened yesterday, such a one as is not common in this part of the world, and God forbid that there ever should be such an one again.

Agreeable to orders, Capt. Nathan Jones met his company in order to have them laid off into Divisions, to furnish his quota of the twenty men ordered from this county, of which his proportion was three, and after mustering his men according to appointment when they were drawn in the ranks and he informed them what he was about to do, a certain Benjamin Billeo stepped out of the ranks and told the Captain if he was done his speech he had something to say to the men, and then told them, all that was for liberty to follow him. After that the Captain had about 9 or ten men left him.

They then proceeded to enroll themselves, and positively forbid the captain to draw for his men that was wanting to do their duty, even after their directing it to be done, at his peril, and would not even suffer him to set down their names unless they first examined them, to know whether they had directed it to be done or not; but the bearer hereof, Mr. William Nicholson, can inform you more particularly about the different scenes of their manners, as he was there in person a great part of the time, but shall be able to make you a full return of it on Monday next, as the captain hath informed me he shall have his report made out by that time.

I have, &c.

A true copy acknowledged by

JAMES A. BRADLEY.

September 12th, 1794.

Sept. 12th DANIEL BEDINGER TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Norfolk Agreeable to promise I herewith transmit to you sundry papers, which will I trust place in a proper light the charges Mr. Hammond has been pleased to bring against us. These papers are chiefly relative to transactions which occurred during the stay of the Frigate Doedalus in our

harbour. But about three weeks ago, another Frigate (Thetis perhaps) sent her boats to this place for water and obtained it without difficulty, as will be made to appear by the certificates of several respectable characters, which shall be forwarded in a few days. 1794. Sept. 12th

I am, &c.

REUBEN GEORGE TO THE GOVERNOR AND COUNCIL. Sept. 12th

I am sorry to inform you that on the night of the 5th of June, 1794, I had the misfortune to have thirteen muskets and bayonets and twenty-eight cartridge-boxes, belonging to the public, burnt in the house of Mr. James Heron. I had them stored in the lumber house of the said Heron, thinking they might be more secure than taking them to the country, as I gave them out to the men only as they paraded in uniform; therefore, as it was unforeseen accident, I hope that your Honours will release me by giving me credit on my receipt, which you have, for fifty stand of arms (for the said guns, &c., burnt). Henrico

I have a part of the barrels, bayonets and locks, which I will return when directed. The reason I have not got the full number is, that before I knew of the fire, they had been taken away by person or persons unknown to me,

Therefore, the petitioner begs leave to subscribe himself, &c.

J. MARSHALL TO THE GOVERNOR. Sept. 13th

I enclose you a statement made by the Captain of the Artillery company of this town of the articles required for the preservation or use of the artillery under his care. Richmond

I have, &c.

Sir:

I take the liberty of addressing you on the state of the artillery under my care. The wheels and axle-trees are worn out; no harness. I shall want three pair of strong harness, three hundred of gun powder, 150 round and double-headed shot, 4 lbs., 150 canisters and shot to fit them, 300 tubes, 2 copper ladles, and 2 copper hammers, one ammunition wagon with 4 harness, 60 swords, 10 taints, and 10 camp-kettles. I wish to have everything in order that when, I am called for I may be ready.

I have, &c.,

A. QUARRIER, Captain of Artillery.

General Marshall, September 6th, 1794.

1794. WILLIAM NELSON TO THE GOVERNOR.

Sept. 13th Richmond — Intercedes for the pardon of John Vaiden, convicted of horse-stealing in the District Court, on the plea of weakmindedness.

Sept. 13th CHARLES HAY TO LIEUTENANT-GOVERNOR JAMES WOOD.

Richmond — The printing of the Revised Code of Laws pursuant to an act of assembly passed at the October session, 1792, is nearly completed, and I believe will be finished before the meeting of the General Assembly in November next; but before it is concluded, I must solicit the advice and instructions of the Executive respecting some difficulties which have occurred in the business.

One of the laws passed in 1792, is entitled "An act for reducing into one the several acts concerning executions, and for the relief of Insolvent debtors." This law was to continue in force only until the 1st of January, 1794, but as it is one of those which was submitted to the Assembly by the Revisors, and contains a variety of matter of great and general importance to the Community, I presume it was intended to form a part of the Code.

At the last session it was repealed, and re-enacted with two or three alterations of considerable Consequence. This law is also a temporary one. By the act for the republication of the Laws, I am bound to have the Acts of 1792 printed as they were then passed, without regard to anything which may have since taken place; but if this is done with respect to the act above mentioned, it is evident that many inconveniencies may result from it. I hope, therefore, that the executive will say whether I shall leave it out of the Code altogether, or have it printed with a note that it has been repealed, and referring to the act repealing it, or whether I shall substitute in lieu of it the act of 1793 on the same subject.

The Laws passed in 1792 for regulating the militia, for regulating the inspections of Tobacco, and of flour and bread; concerning Juries, &c.; concerning the fees of certain officers; for ascertaining the salaries of the officers of civil Government, and to oblige vessels in certain cases to perform Quarantine, were severally amended by acts passed at the last session.

The Executive will perhaps think it proper that these acts should be printed with those passed in 1792. If this should be their opinion, they will be pleased to give me instructions to that Effect.

I have, &c.

September 13th, 1794. 1794.

The questions stated by Mr. Hay to the Executive, on the other side of this sheet, relate rather to subjects of expediency than legal inquiry. Sept. 13th

Will it be expedient for the Executive to direct the clerk of house of delegates to depart immaterially from their orders, for the purpose of observing consistency in the publication of the Laws?

I suppose it would be proper, and therefore think that the Governor and Council may, with great propriety, direct the living act of 1788, alluded to by Mr. Hay, to be printed in lieu of the dead one of 1782, and that the other acts enumerated by him, enacted in 1782 and amended in 1793, ought to be engrafted into the Code in the form in which they came last from the hands of the legislature.

JAMES INNES.

BILBY H. AVERY TO THE GOVERNOR. Sept. 14th

Having been near six weeks confined by an indisposition, prevents me from being acquainted with the sentiments of the people of Surry. Willobey Hill

It gives me pleasure to hear that those of Prince George are ready to defend their Laws, and that they may be always so, is my sincere wish.

I am sorry that I cannot comply with your request of seeing General Bradby to-day, being unable to travel that distance, but hope to see him to-morrow at Cabin Point, when I will do everything in my power to bring them to a sense of their duty.

I beg you will accept my best wishes for the recovery of your lady and son.

I have, &c.

WILLIS WILSON TO B. G. BRADBY OR COLONEL COCKE. Sept. 15th

Asking for the exemption of Jesse Clark from military service in the army being raised for the march to Pennsylvania, on account of an old wound received in war of the Revolution.

WILLIAM R. FLEMING TO THE GOVERNOR. Sept. 15th

Recommends Dr. James Carter for a surgeon's position in the army about to march against the insurgents in Pennsylvania. Rock Castle

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JONATHAN CLARK TO JAMES WOOD, LIEUTENANT-GOVERNOR. Sept. 15th

I received yours of the 1st and 5th instant, and immediately complied with their contents.

1794. Sept. 15th

General Blackwell writes me (8th inst.) that he expected to be complete in a few days. That some of his regiments were ready, but that from the deranged state of the militia in some of the counties, he could not have his quota in readiness so soon as he could have wished. General Mason not being at home when the express was at his house, I have not been informed as to his forwardness. I have just heard that a letter from General Williams to me is in the county. I flatter myself that (one county excepted), his brigade is ready, and am in hopes some of his companys are in motion, tho' cannot say with certainty that this is the case. The regiment in this county furnished its proportion mostly of volunteers, and I have just been informed are to move on Wednesday.

I sent an express to General Guerrant immediately on receiving your commands, and he writes me that some of his family were so extremely sick when he received my orders for furnishing his brigade quota, that several days elapsed before he could possibly attend to the orders, but says that he had proceeded on the business, and that now nothing on his part shall be wanting in having his quota ready as soon as possible.

I have been to Fredericksburg, and find that the troop of cavalry does very little exceed twenty, exclusive of officers. There are very few in General Guerrant's Brigade, and General Blackwell writes me that the troop in his Brigade is very far from being complete, but that he had not procured a return of its real strength. There seems to be an exceeding backwardness in some of the counties. Where the fault lies I cannot say, but I fear that those counties will not furnish their proportion in time.

When Mr. Lary was at my house on his way above, I directed him to see me on his return, if not been more than four or five miles out of his way, if so far.

With, &c.

Sept. 15th

JAMES RIVER COMPANY.

Resolved, That public notice be given by the clerk that the annual general meeting of the James River Company on the first Monday in October next, be held at the Eagle Tavern in the city of Richmond, and a request be added, that the meeting may be full as the triennial election of a president and directors then takes place agreeable to Law.

Resolved, That the sum of ten pounds on each new share be paid to the company's treasurer on the first day of October next.

Extract from the minutes.

ROBERT POLLARD, Cl'k.

POTOMACK COMPANY. 1794.

The stock holders of the Potomack Company are required to pay to William Hartshorne, Treasurer, twelve pounds sterling on each share by them held on or before the first day of September next. Sept. 15th

By order of Directors,

WILLIAM HARTSHORNE,
Treasurer.

Alexandria, July 16, 1794.

Requisitions on State Subscriptions for the Respective Canals:

Potomack £12 ster'g on 100 shares	$5,333 33
James River £10 com. on 100 shares	3,333 33
Dismal Swamp £9 curr. on 50 shares	1,500 00
	$10,166 66
$1,000 are supposed still unpaid of a former requisition from the Potomack Company	1,000 00
	$11,166 66

DANIEL CARROLL & GUS F. SCOTT, COMMITTEE, TO THE GOVERNOR. Sept. 16th

It is with great concern we address you on a subject which has thrown the affairs of the city into great perplexity. Resting upon the Donation of your State as certain, at or soon after the limited times of payment we have calculated on our affairs so as now to have no other sourse for the payment of our workmen, and unless the whole or a considerable part of the 40,000 Dollars due from Virginia is soon paid the public buildings must suffer very considerably. Washington City

If no other expedient more productive can be adopted we beg you will interest yourself in procuring from the council an order on the collectors of Fauquier, Loudoun, Fairfax and Price William counties from whom we may have hopes of receiving not less than seven or eight thousand dollars.

We are confident that no exertions will be wanting on your part to facilitate the payment of this Donation, when it is recollected how much the public buildings must be delayed by a disappointment so much unlooked for on our part.

We have, &c.

1794. JAMES A. BRADBY TO THE GOVERNOR.

Sept. 16th Your favor with its Inclosures by Mr. Nicholson I duly received, and dated the 13th inst., but not until Sunday the 14th inst., about 4 o'clock; to which letter and its enclosures I paid due attention. It was too late in the day for me to attend at church or any other public meeting that might be in the county, but learning at the same time I rec'd your letter, by the bearer, who was Mr. William Ruffin, a Lieut. in a company of Light Infantry, that is nearly completed in this county. The cause of Mr. Ruffin's taking charge of the Letter, was from the apprehensions there were of the disorderly people that were then in this county, meeting and taking them from Mr. Nicholson—in fact such were the threats.

By Mr. Ruffin I was informed, that Mr. Benj. Bilbro and a British Deserter, one Kelso, partly who opposed the having the men drafted, had augmented to the number of one or two hundred. Fearful that the men I had ordered to attend at Cabin Point on Monday (being yesterday the 15th inst.) from the several counties in my Brigade meeting with those Insurgents, and perhaps forced to return as they were not armed, I wrote immediately to an active officer and informed one or two who were with me, of the necessity there would be in having a few armed men at Cabin Point, lest any outrages or abuses might be offered by those daring and lawless men.

The officers immediately turned out—this being nearly sunset a Sunday. I met at the place I had appointed for them to assemble at next morning, where I promised to meet them, and proceeded on with them to Cabin Point.

The officers from their activity (Capt. Faulcon, Lieut. Cocke, and Lieut. Ruffin,) collected about 40 or 50 men, with the best arms they could command with a necessary quantity of ammunition, and I believe every man would have lost his life before they would have been drove by the lawless or insulted. But to my great satisfaction, about 12 o'clock on Sunday night, Mr. Nicholson came to my house from the house of the Commandant of the county, and came through the neighborhood of those outrageous people, and met with one or two of them, from whom he was informed the Leaders began to discover their error, and those they had embodied and enrolled were fast dispersing. I then thought it unnecessary for the volunteers to proceed any further and discharged them, and I went on to Cabin Point where I met with two of the Leaders, Clinch and Bilbro, very penitent indeed, and a number of their followers—all of whom were countenancing corresponding with men who had been acting their unwarrantable part, and solicited to be drafted, and that they would conform willingly, and whose ever lot it might turn out to be they would be ready and march when ordered.

The other Gen'l Officers were equally active with Mr. Ruffin in raising volunteers to suppress the daring business in this county; but per-

mit me to inform you, that Mr. Ruffin is a very active spirited young man, who has behaved as such ever since there were men ordered to be raised from the Brigade, and was yesterday beating up for volunteers to join you at Pittsburg, but was not able to enlist or get more than 8 or 10. He manifests a military turn and from his attachment to his country and his disposition to be in the service, I should be glad he could have an appointment should it be in your power to give him one, and say what may be done with the few men he has enlisted. I am hopeful the thing with us will die away and we shall have no more of it, but true it is that many have returned from Cabin point home in consequence of your letter, and do not appear to value the disgrace they bring on themselves by it, provided they can stay at home. I am fearful we shall make but a bad show from this Brigade, but I do assure you I have done and shall continue to do every thing in my power to have the quota furnished. I have directed the commander of the troops at Cabin point to continue at that place until Friday morning, by which time, I expect the several counties apportionment will be there if they ever intend to come, when I shall direct them to proceed on to Winchester unless otherwise ordered by you, and on that head I wish to be particularly advised. Major Williams, of Pr. George, I had appointed to take charge of this Brigade's quota, but I rec'd a letter from him yesterday that he was too ill to perform the Tour and that he would if he could resign. That I would not allow him to do at any rates. If he is too unable to perform the Tour, inform me if I must order the Troops on under the command of the Eldest Captain, or order out another Major and let him go after the Troops with all possible expedition. 1794. Sept. 16th

I caused everything to remain peaceably yesterday at Cabin Point, but very much to the dissatisfaction of many respecting those Leaders in this county, and unless something is done with them—some example is made of them— it will be discouraging to men to do right. It can be proved that they have bought powder, &c.; imbodied themselves; were setling preliminaries, and going on rapidly; but they at last found they would not have money and sense to carry it on, and with all was a little frightened. And this Mr. Kelso ought immediately, I think, to be got and treated according to Law, which will, if done, swing him, as it will also do the other two men. Mr Kelso is the British Deserter.

I am in hopes you will excuse my not having wrote to you on this subject earlier, but I wished to get everything fixed before I did so.

I have, &c.

DANIEL MORGAN TO THE GOVERNOR. Sept. 16th

In consequence of my orders to Rendezvous at Winchester on the 15th, the Troops of Dark's Brigade assembled; but having neither arms, Winchester

1794. ammunition, or any kind of military stores, I thought it best to fur-
Sept. 16th lough the men till next Monday, which will be the 22nd. This day, Mr. Fisher, a conductor of stores, arrived at this place with an amount of stores coming on which will be here in a few days, which will be ample, except arms and ammunition, which is the very thing needful in our present situation. In the waggons under his care is 400 stand of arms and no ammunition. We are not informed of any more coming on. We expect 1500 stand from New London—the total amount is 1900 stand. We are not sure of any more from Philadelphia.

I therefore wish the Executive of Virginia to send us a further supply of 3,000 stand of arms, with a proportionable supply of ammunition. These supplies will be highly necessary for the salvation of our Government, as the people in the frontier of Maryland is getting into large bodies, in order to favor the designs of the insurgents. Col. Carrington writes you fully on these matters. However, they are throwing up works round the magazine in Frederick Town in order to defend it. This is what I feared, and what I could have prevented if I had been supplyed with arms and ammunition in time. No time ought to be lost in furnishing the supplies.

I have, &c.

Sept. 16th EDWARD CARRINGTON TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Winchester I have just received the invoice of military stores on their way from Philadelphia to this place. Others are mentioned as being about to be sent, but no invoice thereof is sent. The stores coming on have with them only four hundred stand of arms. These then are the only supply we can depend on being here in time for the armament destined against the insurgents.

We are told the commissioners have returned to Philadelphia, and that the result of the reference to the people from the committee of conference is not expected to be favorable. In addition to this circumstance, troubles are rising in the upper parts of Maryland and Pennsylvania below the Alleghany.

Upon the whole, it is the opinion of General Morgan, and in it, I under the fullest conviction join him, that it will be best, nay that every principle of prudence and good policy dictates that we ought to rest the arming of the Virginia militia upon the National arms, so far as New London and the four hundred already announced from Philadelphia fall short. Should they be rendered unnecessary, they will not be issued, and no inconvenience will be felt but the expence of transportation, which will accrue to the United States.

The General and myself do therefore unite in our application for three thousand stand of arms, accoutrements, and a proportionate quantity

of ammunition to be forwarded from the State magazine at Columbia to this place immediately. Major Langham comes with this in order to obtain your order to the keeper of the stores, and to see them off. Waggons are sent from here that there may be no delay. 1794. Sept. 16th

I shall immediately write to Philadelphia to press, that a sufficient supply be forwarded. The appearances however are such that it would be risking too much to place the success of our armament upon that prospect, while the certainty within our reach at Columbia can be resorted to.

Confident that our application will be complied with, we have incurred already all the expence of transportation by sending down the wagons which will be at Columbia by the time Major Langham can get to that place with the order of the Executive.

I have, &c.

Hon. Gen'l Wood, Lt.-Gov. of Virginia:

Accounts from Maryland are such that we cannot even be certain that the stores would get here in safety. I think it would be well not to make the contents of this letter public.

DANIEL BEDINGER TO GENERAL WOOD. Sept. 17th

The inclosed are the certificates alluded to in my letter of the 12th inst., which I hope will be sufficient to do away the imputations we stand charged with. Norfolk

I am, &c.

Portsmouth, Sep. 10, 1994.

Being informed that complaint has been made by the British Minister to the Secretary of State, and from him to the Governor of this State, that the people of Norfolk and Portsmouth have been guilty of inhospitality to seamen of the British Navy, in refusing them supplies of water, I do hereby certify and declare, so far as the matter comes within my knowledge, that the charge is unfounded in truth, and that it has been a very gross misrepresentation to that Minister.

I well know that those people have had, and still have an impartial access to every public well in this Town, and that they have been offered water from a private one that would afford from one to two hundred Hogsheads a day.

I further know that in the part of Town of my residence we have but one street well to supply a large number of citizens, and the pump of that well by the crew of a British Frigate has been kept sucking several days to the great inconvenience of the Inhabitants. Yet I am well assured they were never refused any water it would yield, but have been aided in procuring supplies thereof as will appear by a certificate of Samuel Davies, Esquire.

WILLIS WILSON.

1794. Norfolk County, Town of Portsmouth, Sept. 10, 1794.

Sept. 17th I hereby certify that Colonel Willis Wilson did apply to me about the middle of August last, with a young man of the British Consul's requesting that I would furnish a supply of water from my distillery pumps to the crew of a British Frigate then below. I informed Col. Wilson and the young man, that I had already offered Mr. Thomas Hamilton water for the purpose upon better terms than it could be procured on James River. But as Mr. Hamilton had given me no answer, I had not at that time my pumps in order—that it would take two or three days for that purpose, and then they would produce a hundred hogsheads a day.

SAMUEL DAVIES.

Sept. 19th HENRY LEE, GOVERNOR TO GENERAL WOOD, LIEUTENANT-GOVERNOR.

Bolling Green By letters which I have received from the Secretary of War since I left Richmond, I find the event of resistance or submission still doubtful. The former is much to be apprehended, and consequently no precaution on my part will be omitted to meet that issue.

The whole fighting force of the insurgent counties is put down for my information, and amount to 16,000. The division of sentiment among them will greatly diminish this force, and 8 or 9,000 will probably be the ultimate point they can reach. They abound in rifles, and are good woodsmen. Every consideration manifest the propriety of hurrying the march of the troops, and I pray your particular attention to this object.

From the sickness of the season and other causes, I fear we shall fall short considerably, and therefore wish to receive the concurrence of the Council to the two following propositions, which will be executed only in case circumstances should justify the same. The first is to authorize me to call out two additional regiments of volunteers from the upper country, to be officered by the militia officers; and the second is to use the volunteer militia in the Monongalia District, provided safety from the Indian enemy is certain.

I am persuaded you and the Council too well know me to suppose I will resort to these additional means unless absolutely necessary, and as the power will be only eventually used, I hope no difficulty will occur in giving the advice suggested.

By the first proposition I shall be able with celerity to make good any deficiency in our quota; by the second I shall be able to furnish General Morgan with a small useful corps, well acquainted with that part of the country through which, perhaps, I may determine to pass a column under his command.

You know, sir, that communications like the present ought not to be divulged.

I have, &c.

ıe following is a statement of the account against the United States 1794.
.rms, &c., lent in the late insurrection: Sept. 19th

Original Loan.

kets and Bayonets,	3,000
ers and Brushes,	400
ket Worms,	500
w Drivers,	150
ridge Boxes,	3,000
els Gun Powder,	15
of Lead,	19
ns of Cartridge Paper,	30
els of Musket Flints,	5
nds of Ball and Buck Shot,	1,650
Musket Slings,	3,000
o Cartridge Box Belts,	3,000

Articles returned, and their order.

kets and Bayonets, much defaced,	2,943
.ridge Boxes, greatly injured,	2,571
ket slings, many useless,	1,467
.ridge Box Belts, much damaged,	2,723

Articles now due the State.

kets and Bayonets.	57
.ridge Boxes,	429
ket Slings,	1,533
.ridge Box Belts,	277
:ers and brushes,	400
ket worms,	500
w drivers,	150
rels of gun powder,	15
of lead,	19
ms of Cartridge paper,	30
els of Musket Flints,	5
nds of Ball and shot,	1,650

ROBERT QUARLES,
Supt. State Arsenal.

WILLIAM DAVIES TO THE GOVERNOR. Sept. 19th

expected to have been favored with the decision of the Executive Broadway
n my memorial, but have been hitherto disappointed. I have noth-

1794. Sept. 19th ing to add to what is contained in that representation, but that from the information of Mr. Brown, Senator from Kentucky, the balance due to Virginia upon her private account, upon inspecting the book A, to which the commissioners referred, appeared te exceed that due to Massachusetts upwards of a million of dollars, tho' in consequence of the act of apportionment the latter is eventually the greatest creditor in the Union. I am truly sorry to be troublesome to your Excellency on this occasion, but as I conceive my claim as founded upon the strictest justice, I hope to be pardoned for pressing for a speedy decision. It was my intention to have attended personally before the Executive on its discussion, but the frequent avocations, which as I understood called your Excellency from Richmond, added to my own engagements, have hitherto prevented, and at present an indisposition which confines me to my house, will still continue to deprive me of that opportunity. As the matter has been submitted long enough for full investigation, and as your Excellency I am informed is shortly to be absent from Richmond, I must entreat the favor of a prompt decision. A discount in my collections either in certificates, warrants, or tobacco will be thankfully acknowledged. I hope for a speedy answer, and am, Sir, &c.

Sept. 19th

E. Langham to James Wood.

I have contracted to furnish the post at the Point of Fork with provisions till the 11th day of January next, and have given good security for the faithful performance of that contract.

I am now called into service at a distance, and can't give my personal attention at the Point of Fork, but have a careful young man to furnish provisions in my absence, and it is now geting time to lay in meat to complete my contract.

Noting the above statement, will you apply to the Hon'ble the Executive, and if you think it reasonable, give me your aid therein to advance two hundred and thirty dollars, which will be sufficient for about two months' rations—meaning payment for about two months. This would enable my young man to lay in the provisions, and make my mind easy on that score while absent. As I have given good security, I think there could be no impropriety.

Respecting the military stores applied for to arm the Virginia Detachment, assure the Board that every attention in my power shall be given them, not only in the field, but also for their safe return.

I have, &c.

THOMAS NEWTON, JR., TO THE GOVERNOR. 1794.

I rece'd your Excellency's favor by Mr. Brough. The artillery still do duty at the Fort, though some of them have refused, and as this was a requisition of yours, I consider such as liable to ten dollars fine under our militia Law, and shall be glad of your opinion on this case as I wish to compel such men to duty. I was down in the Quarantine lookout boat on Friday and Saturday, when two British Frigates arrived, which now make four lying in the mouth of this River. What may be the cause of so many coming here at a time, we must wait with patience to know, but have heard that the Sun's crossing the line is the reason given. Sept. 21st Norfolk

We much want a person to take charge of Fort Nelson. I think a subaltern and 24 men too few for it, and conceive that an officer of experience and rank is necessary there with at least one hundred men. I am sorry to inform your Ex'cy that the work goes on slowly, and I think it will not be finished by volunteer labourers. Our pilots do not pay that attention to the proclamation I could wish. Yesterday one took a capt. of a Brig from Jamaica and brought him up. I could wish the Law inflicted a penalty on such pilots. The accounts from Jamaica are alarming. The sickness there rages to a great degree, but we have been very fortunate in the vessels which have arrived—their all being healthy. We have reports of its being very sickly in Baltimore also, and Charleston, S. Carolina, but not so alarming as to prevent intercourse with them.

Should any appearance of danger come to my knowledge, I will inform your Ex'cy. I still shall continue the lookout boat, unless your Ex'cy and council shall direct otherwise.

I am, *&c.*

JOHN CROPPER, JR., TO THE GOVERNOR. Sept. 22d

Accidentally meeting with Mr. J. Gootee, the bearer, on his way to Richmond, I inform you that your favor (directing me to go to Norfolk and acquainting me that I might probably see you there) came to hand 15 days ago; that next day the ague and fever seized me, and that I am but just now putting it off. You have no doubt received a letter from me telling the Executive that it appears to me to be no use for me to go to see the delinquents without process to act upon. Accomac

Your letters commonly come to hand six months after date by post. I wonder who is to reimburse the postage.

Send any commands or letters by the bearer, they'll come safe without expence.

I am, *&c.*

1794. WILLIAM LINDSAY TO THE GOVERNOR.

Sept. 23d
Collector's office, Norfolk

On Sunday last arrived in Hampton Roads the British Frigate Quebec, commanded by —— Rogers, & a Spanish Schooner retaken from a French Privateer by said Frigate.

The schooner is loaded with Flour and is reported in distress. Application has been made to know whether the Schooner can be brought up into port, repaired or sold here. Her name I have not learnt.

I am, &c.

Sept. 23d THOS. NELSON, JR., TO GEN'L WOOD.

Alexandria

I am directed by the Governor to request that you will be pleased to forward a statement of the Rank of Lieutenant-Colonel Little, of Fairfax, & Lieutenant-Colonel Lane, of Loudoun. You will be pleased to send them to Major-General Morgan, who will of course, forward them to the Governor, who leaves this place to-morrow morning.

I am, &c.,

Sept. 23d HENRY LEE TO GENERAL WOOD.

Alexandria

Your letter of the 19th came to hand last evening, and with its inclosures is this day transmitted to the War department. The conduct of yourself and my friends of the council merit every good man's approbation, and I feel myself particularly thankful for the prompt and perfect succour given, but I have the pleasure of informing you that the last accounts announce the disturbances in Maryland to have yielded to the vigorous measures adopted by Governor Lee, of Maryland.

The State arms shall be taken proper care of and returned with ourselves. My letters of last evening indicate progress to the expedition, but nothing yet is known of the ultimate decision of the Insurgents.

Present me with great regard to all around your green table.

Your, &c.

Sept. 23d HENRY LEE TO LIEUTENANT-GOVERNOR WOOD.

General Morgan by a letter received from him this Day, is sclicitous for the Adjutant-General to join his Detachment. I have written to the General and Col. Morgan that with the concurrence of yourself and council, his request shall be granted.

Be pleased to signify by the first opportunity to Colonel Morgan your will. 1794. Sept. 23d

I learn with great pleasure that the 3rd Division has furnished more than its quota, and that the men are in high health and spirits. I observed the most animated conduct through the country whereon I have passed, and therefore am persuaded that I shall not find it necessary to recur to the expedient proposed in my last, yet it may be wise to vest the power.

I am, &c.

EDWARD CARRINGTON TO LIEUTENANT-GOVERNOR JAMES WOOD. Sept. 24th

Having upon previous occasions given you from report, disagreeable news respecting a spirit of insurgency in the upper parts of Maryland, it behooves me now to give you the result of my immediate presence for three days at Hagerstown—the very seat of the alleged mischief. Winchester

I arrived at that place with Col. Moses Hunter, Major Stephenson and Capt. Glen, of Berkeley, who were kind enough to go over with me on the 17th Instant. It was then a conceded point by the Friends of Government that the insurgents had complete ascendancy, and that nothing could be attempted with them before the arrival of a body of Troops—about 800 which were expected from Frederick Town, and had been ordered up by the Governor for the particular purpose of suppressing insurgency.

Liberty poles were standing at Williamsport and sundry other places, that at Hagerstown had been cut down, but apprehensions were felt that a party would again invade the town to replace it. We immediately set about to convince them that there must be a mistake as to the superiority of the insurgents, and we declared that we would cut down the Liberty Poles if the people of the place did not set about it. The effect was that by Thursday evening, the 18th, their insignia of anarchy were all felled, and about twenty citizens armed with our pistols, and such others as could be gotten, went out that night in quest of what were called officers and leaders of the Insurgents. On Friday morning they returned with about 20 including those characters, & behold no followers could be found to render the operation at all dangerous. On Friday a called Court was setting the whole day examining and committing to jail, which business was renewed on Saturday when we left the place as free from active insurgency as the city of Richmond.

In the evening of Friday, General Bailey with the Frederick Militia and three Troops of horse arrived, but the Monster had been previously destroyed by the natural force of the place which ought sooner to have acted.

1794. Sept. 24th

Thus endeth the first chapter of lamentations of the people of Hagerstown.

I hope the Governor who I have heard arrived there on Saturday will commence the second by instituting the necessary enquiries. Would that it will end in the breakage of those officers who neglected their duty. I very much suspect that the troubles in Pennsylvania below the Alleghany are nearly of the same complection. The disaffected in both places are composed of stupid Germans and the foreigners who were tories in the Revolution.

I am, &c.,

You may make this letter as public as you please, but do not let it go into the papers.

P. S.—The people of Morgan Town and the Vicinity have come to Resolutions declarative of their determination to support Government. Our armament will go forward.

Sept. 24th

JOHN MCCULLOCK TO THE GOVERNOR.

West Liberty

This comes to let you no that I got here safe, but have the mortification to inform you that the Indians have done Mischief in different parts of our frontiers while I was at Richmond. They killed three children, and wounded two others, leaving one of them scalped alive, and took their mother prisoner, and wounded their father, who made his escape, and is like to get over it. This mischief was done in Ohio county about twelve miles of Wheeling, and on the 6th of this instant. And they took one man prisoner on the west side of Ohio near Wheeling, not long since, and have killed a man near the mouth of Little Beaver Creek. I cannot give you so satisfactory an account as I could wish about the troubles in this country, but have reason to believe they will end without bloodshed. Our county has been, I am told, in some confusion, but it appears it is all over and the people seem to be generally disposed to be still.

We have just received information by Lieut. Peter Gayson that is just from fort Washington, that General Wayne has had an engagement with the Indians, and has took one hundred scalps with the loss of one hundred and twenty-five men killed and wounded, and our army made the enemy Retreat. We have had accounts that the Corn-planter has ordered the officer that commands the fort at Lebeuf, fifteen miles from Presqulle, to move immediately off, or he should have to move him.

I hope that our government will exert their powers against the Indians and the British forces about the Lakes, as it is said that our army lay in sight of the British garrison that is on the Maumee, for two or three days before the Battle with the Indians.

I have nothing more, but conclude with esteem,

Your, &c.

THOMAS NEWTON, JR., TO THE GOVERNOR. 1794.

On receiving the enclosed report, I had Capt. Ainsworth arrested for the penalty incurred under the Quarantine Laws. It appears to me from the information he received, that he has been led into the error. He appears fully convinced that he has done wrong and is sorry for it. I considered it my duty to act as I have done—the case being of a public nature. I conceive I have no right to dismiss the suit without your consent, and await your directions therein. For my part I freely forgive him. His crew were in perfect health. Sept. 24th Norfolk

Your, &c.

GOVERNOR LEE TO THE LIEUTENANT-GOVERNOR. Sept. 25th

I have had two communications with the President and Directors of the Bank of Alexandria on the subject committed to me by the Executive. They have manifested the best disposition to accommodate the commonwealth, but from the situation of their funds, and the pressing daily demands of the stockholders for loans, they have declared to me the projected loan cannot possibly now be granted. I hope you will continue to prevent sale of our shares by some means or other. Alexandria

I received last evening orders to join the army forthwith, & to move forward towards the enemy—intelligence from the insurgents as late as the 13th having manifested that compulsion must be resorted to to procure submission to law.

All my expectations of soon seeing you fail entirely. Farewell.

MR. OSTER TO THE GOVERNOR. Sept. 25th

Being informed that an English Frigate has entered into Hampton Road with two prizes taken from the French, I in my quality of Vice Consul of the French Republic request your Excellency to order that this Frigate may depart immediately from Hampton Road, and also from the limits, as it is expressed in Article the XVII of the Treaty of Friendship and Commerce between France and the United States. Norfolk

This Frigate not having been forced by any danger to take refuge in that River, your Excellency may well judge that she ought not to have entered there, and consequently that she can not be suffered to remain there without infringing the Treaty.

I am, &c.

1794. COMMONWEALTH VS. DAVID—RECORD.

Sept. 25th At a Court of Oyer and Terminer held for King William County, the 19th day of July, 1794, for the trial of two negro Slaves—one Polley, the property of Drury Ragsdale, and Davy, the property of Wm. Dandridge for Felony.

Carter Braxton, Jr., Gent., who prosecutes in this Court on part of the Commonwealth, filed an information against the said Polly and Davy. Be it remembered that on the 19th day of July, in the year of our Lord, 1794, that Davy, a slave, the property of Wm. Dandridge, and Polley, a slave, the property of Drury Ragsdale, on the — day of —— in the year of our Lord, 1794, felloniously and with ill intent, did prepare, exhibit and administer medicine or poison contrary to the peace and dignity of the Commonwealth of Virginia, and the said Carter Braxton, Jr., Attorney for the Commonwealth in the county aforesaid, prays the judgment of this Worshipful Court upon the premises according to Law. Whereupon the Court proceeded to examine sundry witnesses as well on behalf of the Commonwealth as the prisoners at the Bar. On consideration whereof, the Court are of opinion that the prisoner, Polley is guilty of the charge in the indictment mentioned, and for that offence it is ordered that she be hanged on Friday, the 22d day of August next.

It appearing to the satisfaction of the Court that other proof and circumstances may be had, it is ordered that the said Davy be remanded to the Goal of this county for further trial, & that the Sheriff do summon a Court to meet for that purpose.

At a Court of Oyer and Terminer held for King William County, the 26th day of July, 1794, for the trial of a negro slave, Davy, the property of William Dandridge, for Felony.

Carter Braxton, Jr., who prosecutes in this Court on behalf of the Commonwealth, filed an information against Davy. Whereupon the Court proceeded to examine sundry witnesses as well on behalf of the Commonwealth as the prisoner at the Bar. On consideration whereof, the court are of opinion that the prisoner is Guilty of the charge in the indictment mentioned, and for that offence it is ordered that he be hanged on Friday, the 29th day of August, at this Court House.

Test:

ED. BERKELEY, Clerk.

Sept. 25th PETITION.

To his Excellency Henry Lee, Esq'r, Governor of Virginia, in council:

The petition of the subscribers of King William county court and others, humbly sheweth: That at a court of Oyer and Terminer

held for the said county, on the nineteenth of July last past, to-wit, in the year 1794, David, a negroe man slave, a prisoner committed on suspicion of preparing, exhibiting, and administering poisonous medicines, was arraigned on information of the public prosecution charging him with that crime; and it appearing that further evidence might be procured, he was remanded for a further trial, notwithstanding that the prisoner had pleaded not Guilty to the charge. Witnesses had been examined, and an opinion of the court had been partly taken, when one of the Justices conceived the evidence insufficient to prove the charge. But upon further evidence to the court being afterwards introduced, the court did remand the prisoner David to jail. 1794. Sept. 25th

And on another day, to-wit, on the twenty-sixth day of July aforesaid, at another court of Oyer and Terminer, held for the trial of the said slave, he was condemned on similar information; but your petitioners being advised that Doubts have arisen respecting the legality of the said second trial, beg leave to state the above circumstances to your Excellency in council, that if it should be your opinion that the said second trial was had contrary to Law, the execution of the prisoner may be respited until a further day, (the same being appointed for Friday the twenty-ninth day of August, 1794).

And your petitioners as in duty bound will ever pray, &c.

Benj'n Temple, Robert Pollard, Thomas Nelson, John Roane, Jr., James Quarles; Carter Braxton, att'y for King William county; James Johnson, D. Sheriff; Drury Ragsdale, Lewis Blake, Tully R. Wise, John Warden, John Drewry, Thomas Ellett, John Whitworth, Matthew Glenn, James Smith, Anthony Bron, John Pomphry, Thomas Littlepage.

West Point, 19th Sep., 1794.

Dear Sir,

Enclosed you will receive a transcript of the record of King William county court, on the subject of the slave now under sentence of death in the prison of said county. This is furnished to the council in consequence of their request that the same should be laid before them. Some doubts have been suggested with respect to the legality of trying Davy a second time, when the first court of Oyer and Terminer which sat on his trial, gave no decision or conclusive opinion—inferring that it is the duty of a court of Oyer and Terminer to hear and determine whenever convened: so having pronounced nothing as to Davy, he was, and ought to have been, by consequence of their silence, liberated from his confinement.

From that tenderness in favor of Life which the law inculcates, and from an anxious wish that the court's proceedings resulting from my advice should be corrected, if erroneous or illegal, I represented the business to court as developed to you, and requested for the tranquility of my mind that they would sign the statement of the case already

1794. Sept. 25th transmitted to the Executive, praying that if there was any illegality in the condemnation of Davy, that he might be pardoned. It was very foreign from my intention, and from that of the court, too, I know, to intercede for a pardon from any idea of Davy's innocence, nor do I consider that the cavils made against the legality of the court's proceedings are well founded. They originated, I hope, from humanity; but they are unsupported by reason, and had the authors of them adverted to the record, and not been misled by false relations, I suspect nothing of these doubts would have so far impeded the course of Justice. The first information, you will observe, alleges a charge of preparing, exhibiting, and administering, &c. The latter alleges a charge only of preparing and exhibiting poison.

I am, &c.,

CARTER BRAXTON, Jr.

Sept. 25th PETITION OF SARAH, NEGRO WOMAN SLAVE OF ELLYSON YOUNG.

To the Hon. the Governor and Council of the Commonwealth of Virginia:

The petition of Sarah, a negro woman slave of Ellyson Young, lately condemned in the county court of Prince Edward, under the charge of having feloniously administered poison to her mistress Elizabeth Young and Judith Young, humbly sheweth that your petitioner had always supported a good character as a dutiful and obedient slave ever since she belonged to her said mistress, as mentioned above, which has been for many years past. That your petitioner was never suspected by her said mistress, or any other person for administering poison or combining or confederating with any person in administering poison until the present charge. That there was no positive or presumptive evidence against her, except what is set forth in the copy of the record thereto annexed, which said confession therein mentioned was extorted from your petitioner with the promise of being set at liberty, which your petitioner humbly conceives insufficient to convict her, and hopes that she will meet with a pardon from your hands, and as in duty bound will ever pray, &c.

Signed by the following persons:

G. Green, John Caldwell, Jr., T. Watkins, Archibald McRae, C. Taylor, John Watson, Thomas Molloy, D. Sims.

I do approve of the within petition, &c.

PETER LE GRAND, (Judge.)

Disbursements and Discounts made at the Treasury by Jacqueline Ambler, treasurer, from the 1st of July, 1794, to the 30th of September inclusive, Dated since 1st of March, 1787: 1794. Sept. 25th

Warrants payable out of the aggregate Fund,	$7,995 09
Judges' Salaries, expenses of courts, &c.,	8,960 53
For salaries to officers of civil government,	6,099 63
To commissioners and agents,	878 85
On the contingent Fund,	4,289 08
In favor of Poto. and James River companies,	1,222 23
To the Directors of the public buildings,	320 78
For the western defence,	1,611 68
For the Lunatic Hospital,	1,333 33
For expences of public warehouses,	182 55
For reimbursement of interest to stockholders,	137 82
In favor of pensioners,	220 00
Advances made for the General Government,	7,170 86
	40,422 43
Dated prior to the 1st of March, 1787:	
Military.—Militia certificates and warrants for supplies,	54,422 24
	$94,844 67

Capt. Tarpley Webb of the boat Venus, appointed as a lookout boat to prevent the infectious diseases prevailing in the West Indies, &c., being brought into the state, reported that he spoke the Brig Hope on the — day of —, 1794, and informed the Capt. (Ainsworth) that he had the Governor's proclamation and the Superintendent of Quarantine's orders to direct all vessels to stop below the fort to be examined as to their health. Sept. 25th

After this, he discovered a boat moving up the river, which he suspected belonged to the Brig Hope, and which he proceeded to and hailed, when he found his conjectures to be true, and the Capt. informed him he was coming up to town. Capt. Webb says that he informed Capt. Ainsworth the consequences, who told him that the Consul had been on board his vessel, and that he might go where he pleased. After this Capt. Webb told Capt. Ainsworth if he would come alongside he would read to him the Governor's proclamation, on which Captain Ainsworth answered he had got so far, and should proceed.

Next morning Capt. Webb found Capt. Ainsworth in town at Mr. Whittle's counting-house, where he spoke to him on the occasion, when he told Capt. Webb so many boats were speaking to him that he was not obliged to know who he was. Mr. Whittle's clerk spoke light of

1794. Sept. 25th the case, and told Capt. Ainsworth that nothing could be done to him. Capt. Ainsworth spoke nothing disrespectful in his conversation, and has since said that it was Capt. Hamilton who told him he might go where he pleased, and not the Consul.

Report taken before me,

THOMAS NEWTON,
Supt. Quarantine.

Sept. 30th

GOVERNOR LEE TO COLONEL COCKE.

Having not time to write to you fully, I must refer you to my letter to Gen. Bradby, and I must entreat you to unite with him at once in exertions to stop the infamous temper displayed by a few of the people of Surry the other day. It disgraces our common country and is pregnant with mischief of the blackest dye.

Gen. Bradby will communicate to you freely my letter and the latest news from the insurgents.

[The address of the two following letters can not be determined, but they are evidently by the same author:]

Sir:

On my way this evening to see my sick wife and take leave of her for my tour of duty, I met Mr. Nicholson with your letter of the 12th & its enclosures, to all of which I have given due consideration. To express the deep regret I feel on hearing any occurrence which carrys with it testimony of any portion of our country being so ignorant or so wicked as to oppose the laws, is not in the power of my pen, and the present occasion of all others, I did presume was the most unlikely to excite such a temper, for it must be self-evident to all who will think, that if the people will not support their own constitution or their own laws, that the equal and happy political condition for which we fought and conquered, must soon be exchanged for despotism in some shape or other.

This distressing truth ought to make all who love true liberty to reflect betimes, and unite in preserving it, by maintaining inviolate that established system which so happily protects it in this our land.

Wishing to give to this outrageous little attempt a turn which may destroy it without the interference of Govt., I beg you to contrive to get at once twenty volunteers from the county of Surry for the present occasion. This you can readily do I am sure by exerting yourself, especially as you may promise them particular accommodation from me, in case you shall find it necessary to enter into such stipulations to procure the number.

1794. Sept. 30th

To give to this attempt proper pretext, I enclose you my letter of the 9th inst., which circulate by many copies thro' the county, & I also enclose the last intelligence from the insurgents which you must circulate in like manner. I must leave to-morrow evening, the result of this attempt so far as goes in one day.

At church will be a good opportunity to try its effect, where pray go, & I shall wait here for your messenger, which I hope will be sent in secrecy to me, & in time to get here in the course of the night.

You shall afterwards receive from me orders of another sort if occasion demand them.

Reason with the wrong-headed, and talk to them of the disgrace they bring on their county, and ask them if they believe the people of Virginia will permit such indecency and wrong.

I have written letters to Col. Cox, Major Boyce and Mr. Ruffin, all of which must be sent. The one to Mr. Boyce, the bearer will contrive, as I wish it to be known only to your confidants that I have as yet heard of the transaction.

Sir:

The zeal and patriotism displayed by our countrymen in all the upper countys render any force from below unnecessary, nor would the same be received did I not apprehend to refuse the co-operation of the small detachments required would be unpleasant to our worthy fellow-citizens as all good and virtuous men must take a pride in yielding their personal aid towards suppressing the wicked attempt made by the Pennsylvania insurgents to destroy our Government, and with it to destroy that liberty for which we so nobly fought. If, however, you should experience a disposition so base as to be indifferent to the present call, or any set of men so cowardly as to fear the rabble, let them stay at their homes. Tell them they shall not be received into the ranks of the gallant defenders of their country, who are now moving under Gen. Morgan to vindicate its wrongs, and with whom I shall soon have the honor of marching, as it is my lot to have been drafted by the President of the U. States.

At the same time, send to me a list of their names and places of abode, specifying the single men and the married men, that they may be published to their country & otherwise noticed in due season.

1794. Sept. 30th. Dr. The Second detachment from the Eighth Brigade on an expedi-

Sept. 30. To cash paid for sundries pr. ac. rendered, -			£97 17 0½
15 Gals. Rum, 10s., - -	£ 7 10 0		
50 lbs. candles, 1s. 3d., -	3 2 6		
6 quires paper, 1s. 3d., -	7 6		
500 Bacon, 8d., - -	16 13 4		
10 lbs. Brown Sugar, 1d., -	10 0		
8 Camp kettles, 5s. 6d., -	2 4 0		
1 paper Ink powder, - -	1 0		
1 Lanthern, - - -	2 6		
1 Butcher's carver, - -	4 6		
3 Axes, 6d., - - -	18 0		
Spike Gimlet, - - -	1 3		
1 cock with key, - -	3 0		
50 lbs. Soap, 10½d., - -	1 13 5		
			33 11 0
Admit it will take the Troops 16 days to arrive at Winchester on the following calculation: 160 Troops at 1 lb. Beef per. day is 2,560 lbs. at 2½d., -	26 13 4		
To 2,560 lbs. Flour at 2½d., -	21 6 8		
40 Gallons Brandy at 4s. 4d., -	8 13 4		
Rations issued for 20 men at Cabin point, left on guard 8 days, - - -	1 13 4		
160 lbs. beef at 2½d.			
160 lbs. Flour at 2d., - -	1 6 8		
10 quarts Brandy, at 1s. 1d., -	10 10		
			60 0 0
Cash paid 322 lbs. Beef at 2½d., - -			3 7 1
The hire of 2 waggons 35 days going and returning to Winchester, - - -			40 0 0
			£234 15 1½

tion to Winchester, in account with Edward Faulcon, Agent, Cr. 1794. Sept. 30th

Sept. 30.	By Bank Notes, received of Gen'l Bradley, $450,		£135	0	0
	130 Gallons Brandy on hand, at 4s. 4d., - - -	28 3 4			
	5 Bbls. Flour, at 33s. - -	8 5 0			
	4 Bbls. Corn, at 15s., - -	3 0 0			
			39	8	4
	By balance, - - -		60	6	9½
			£234	15	1½

1794. Sept. 30th

Papers prepared by Governor Lee while waiting orders from President Washington to proceed with the army to Pennsylvania for the suppression of the Whiskey Insurrection.

Whereas a few weak, wicked and wrong-headed men have as far as they could, injured the character of our county and disgraced our county by refusing to obey the law of the land which governs the Militia—

We the subscribers anxious to wipe away the stain cast upon our county, and desirous of proving to our country that the people of Surry abhor as they do the late wicked and daring attempt to destroy our Government and with it our liberty, do hereby voluntarily offer ourselves to serve under Governor Lee, the tour to which he is called and on the issue of which everything dear to freemen depends.

Sept. 30th

GOVERNOR LEE TO COL. AVERY.

While I feel the highest gratification in hearing of the very proper conduct of your county in their obedience to the late call, I acknowledge my extreme distress in learning that a different temper prevails in a part of Surry.

Pray, Sir, unite at once with Gen. Bradby in restoring a right disposition, for which purpose I wish you would see him this day. He will be at the church in Sussex not far from you, and will communicate to you the last news which I have from the P. insurgents, which I have not time to mention. As bad men always struggle to make others so, I fear attempts may be made on your Drafts. To prevent any effect of this sort, I beg you to tell your worthy lads that I am drafted as well as themselves, and I mean to march hand in hand with them, leaving behind me a sick wife and a very sick only son. Tell them they shall be well treated, honestly paid and that they will find the excursion as agreeable as it is honorable and necessary; and pray write to me your opinion freely relative to the disposition of the people in Surry.

If we permit our laws to be violated with impunity, farewell to order, farewell to liberty and all the political happiness we enjoy, and for which we so prodigally bled and paid.

Oct. 1st

REPORT OF EDMUND HARRISON AND LARKIN SMITH ON THE CONDITION OF STATE TREASURY.

The Treasurer being enjoined to close the Public Accounts of his office on the 30th day of September, annually, we, the underwritten, (thereto appointed by the Executive) repaired to the Treasury in the morning of the first of October, in order to ascertain the amount of

specie, Tobacco, and facilities actually in the Treasury received on public Account, and constituting the balance due therefrom on the said 30th day of September, 1794. 1794. Oct. 1st

Having examined and carefully counted and weighed the Specie, we find it amount to ten thousand two hundred and nine dollars and 19 cents; part of which, viz: the sum of five thousand four hundred and ninety-eight dollars 26 cents being the proceeds of the sales of the public Tobacco, made under the direction of the Executive on the 23d of October, 1793, is reserved as the act directs, to be applied in discharge of registered aggregate-fund warrants. We find also on examing the sales made on the said 23rd of October, 1793, a loss sustained on the Tobacco then sold, to the amount of four thousand six hundred and sixty-four dollars and 85 cents. We find likewise, that another sale of the public Tobacco was made under the direction of the Executive on the 11th day of July last, on a credit of three months; which Tobacco, at the rates it was received by Law at the Treasury, amounts to the sum of eighteen thousand two hundred and seventeen dollars 10 cents. This sum is to be considered as making a part of the balance due from the Treasury, as the Tobacco is yet unpaid for. We find also Notes in the Treasury received since the last sale, viz: for 138 hhds., ghy. 146, 716 lbs. of crop, and 1,291 lbs. nett Transfer; which, at the rates received by Law, amount to six thousand two hundred and eighty-four dollars 46 cents.

We find also Indents to the amount of twenty-nine dollars and 36 cents, and 1 for 40. Money to the amount of one hundred dollars, which have been paid into the Treasury in discount for certain Taxes as the Law directs.

Examined and Certified.

EDMUND HARRISON.
LARKIN SMITH.

Treasury 1st of October, 1794.

To the Executive. Oct. 1st

When the Executive thought proper to confer the superintendency of the Public Arsenal on me, the duties of the office were confined to eight smiths and three soldiers, with a salary for this service of one hundred pounds per annum, with the advantages of a ration for myself and another for my horse.

Very soon after I came into office, the Hon'ble Board thought proper to augment the number of smiths to eighteen, and the soldiers to thirteen; in consequence of which, the duties of my office became proportionately increased, without any additional compensation therefor. I feel myself Justified in suggesting this subject to the Board from a con-

1794. Oct. 1st viction that they had uniformly proportioned the emoluments of this to the cares and trouble attendant on the discharge of its duties; for when Capt. Peyton resided here with an Inferior Garrison to the present one, his salary was £300 per annum, and allowed a clerk with many other advantages. His successor, Major E. Laugbam, with less than half the present Garrison, received £150 for his services. I trust the hon'ble Board will readily perceive the additional duties of my office, and will credit me when I assure them that I am not only closely tied to the Superintendence of the shops, but am also obliged to act as officer of the Guard, Pay-master, clerk, and clothier to this increased number.

I presume it is entirely unnecessary to make any further comments on the subject, and with a perfect reliance that the Board will from the 1st of Octo'r, 1793, make such additional compensations for my services as to them may appear Just and right,

I have, &c.,

R. QUARLES.

Oct. 1st

GOVERNOR LEE TO LIEUTENANT-GOVERNOR WOOD.

Martinsburg I set out this morning for Fort Cumberland, crossing into Maryland and then re-crossing to Virginia to view the advanced partys from the two corps. To-morrow 1,000 men more from Winchester. The main body will follow in six days, and the rear division as soon as the last of the troops assemble.

I do not expect to leave Fort Cumberland before the 15th, which unavoidable delay I lament extremely, but must submit to. The insurgents keep profoundly secret their intentions. When we draw nearer, we shall know accurately their plan.

A dispute has taken place relative to rank, between Lt. Col. Little of Fairfax, and Lt. Col. Lane of Loudoun. Be pleased to forward an extract applicable to this case, authenticated of the decision of the board of General officers, under cover to Lt. Col. Little at Fairfax, and send to me, if not very inconvenient, a copy of the proceedings of that board, that in the many disputes which may arise we may appeal to the authority which has already acted upon this subject.

I am, &c.

Oct. 2d

PETITION TO THE GOVERNOR.

Arthur Campbell of Washington county, prays for a remission of a fine for non-attendance as a Grand Juror at the October term of the District court of the county of Washington, and reasons therefor.

Washington County, sc.:

Arthur Campbell made oath before me, a Justice of the peace for the said county, that the facts set forth in the within petition are true. 1794. Oct. 2d

Given under my hand, this 21st day of October, 1794.

JAMES STACKERSON.

A. LEWIS TO THE GOVERNOR. Oct. 3d

Vauses

The other day when I left the Frontiers nothing worth relating had happened since I wrote you last. I imagine the attention of the Enemy has chiefly been taken up with General Wayne's army, and I expect will be the case for this season out. Much opposition is made in many of those back counties against the Draft ordered to be made—supposed for the purpose of quelling the Insurgents; indeed I am sorry and ashamed to inform your Excellency that I fear there is so many in favour of them that those drafted cannot be made go, and as the Danger at present on the Frontiers does not appear great, I take the Liberty of recommending the Volunteer Militia that are under my command to serve on that expedition for two reasons. In the First place they are under pay and in readiness; and Secondly, I think them better than Drafted Troops. To shed the blood of our fellow citizens appears hard, but in my opinion their conduct has been such as ought to rouse any person that is a friend to his country and a soldier. Any orders that you may think proper to give me on this occasion I am ready to receive.

Sir, on a settlement with the paymaster for services done by my company for the year 1793, there was due me for money advanced, three thousand and thirty-nine dollars, which General Tate informs me he made you acquainted with in a Letter by Mr. Kent. Necessity obliges me to send down for it. Certain it is, when Gen'l Tate brought out only part of the money for that year's service, I could have received this money agreeable to your instructions to him, but had I have done this the soldiers would have got none, and they were in want of every necessary which they could not get without money, and being discouraged and uneasy about only a part of their money coming, which they had then been kept out of a long time, and to make them easy and do their duty with more chearfulness, I agreed if General Tate would inform your Excellency of the sum due me, that I would wait as long as my situation would allow me. The vouchers for this sum are now in the hands of the paymaster, and nearly settles up the whole sum due my company for that year's service, and for which sum I have enclosed an order to be paid to Mr. James Bryan, the bearer. If the treasury is not in a situation to advance the money, I hope a warrant on the treasury will be given him, which perhaps I may make answer my purpose. How extremely disagreeable must an officer feel that has advanced his

1794. Oct. 3d

money for the support of the Public credit, and executions against his property, and the Public ears stopped against his complaints.

The first is actually my case, and I dread the latter, for an order was formerly given by me to Mr. Hopkins for the purpose of paying a debt, which he was authorized to settle, and the consequence of which is now by its not being accepted, the Marshall is now here with an execution against my property, which altogether rests in your breast to let me suffer or not. The justness of my claim I refer you for to General Tate's letter by Mr. Kent.

I am, &c.

Please to pay to Mr. James Bryan, three thousand and thirty-nine dollars due me by settlement with the paymaster for money advanced the volunteer militia for the year 1793.

I am, &c.,

A. LEWIS.
Oct. 3rd, 1794.

£500 in part, Oct. 9th, '94.
To the Governor.

Oct. 3d

EDMUND RANDOLPH TO ———.

Philadelphia

It is with great mortification that intelligence has been received at the Department of State from the minister of the French Republic, that the British Frigate Terpsichore has carried as prize into Norfolk, or some of our ports in its neighborhood, the French privateer La Montague. Our treaty with France positively forbids the admission of a foreign ship of war under such circumstances. The rules which have been adopted by the President are pointed on this particular subject. What is due to all nations, we ought faithfully to render to the British; what is beyond the rights of the law of nations, we are under no obligations to perform, especially towards the British shipping, which is hourly destroying our trade, and more especially in defiance of a treaty which ought to be held sacred.

It appears, sir, by a letter from Governor Lee to the French Consul at Norfolk, on the 12th of September last, that he had undertaken to make the necessary inquiries into the fact, and to do what the nature of the case demanded. The Minister of the French Republic is uneasy at the delay of the Governor's answer, and is led to apprehend from thence a more injurious delay in the effecting of the Business.

I have given him my Ideas of the cause of this affair, trusting and believing that the patriotism of the Executive of Virginia will not suffer this gross insult to our Treaty.

Let me entreat your, sir, to exert the attachment which I know your whole body to possess to national faith, and to cause to be rendered to the French Republic that justice to which it is intitled, upon the presumption that the facts as stated shall be found to be accurate. 1794. Oct. 3d

I have, &c.

THOMAS YERBY TO THE LIEUTENANT-GOVERNOR. Oct. 4th

Protesting against the appointment of Col. Wm. Peachey to the Sheriffalty on the ground of his having enjoyed it previously. Richmond county

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TO THE GOVERNOR OR PRESIDING MEMBER AT THE COUNCIL BOARD. Oct. 4th

Letter of Col. Wm. Peachey designed as a preface to his memorial which follows.

MEMORIAL OF WILLIAM PEACHEY OF THE COUNTY OF RICHMOND. Oct. 4th

Col. Wm. Peachey in this memorial defends his claim to a second enjoyment of the Sheriffalty on the ground of a longer active service in the commission of the Peace than any of his competitors since his first term, & adducing in proof the records of the County Court of Richmond.

THOMAS NEWTON, JR., TO JAMES WOOD, LIEUTENANT-GOVERNOR. Oct. 4th

I have received information that an infectious fever prevails at Baltimore, and that the communication to Annapolis is stopped. We are alarmed at it here and shall take every precaution in our power to prevent its coming this way. A vessel is below here from Baltimore, which I have directed to perform quarantine until I hear from you, which I hope will be by return of the post. Norfolk

I enclose the Doctor's Report on her case, viz.:

"Having visited on board the Schooner Adeline, Capt. Burwell, from Baltimore, I find four of his people very ill with symptoms very alarming—as to forbid their coming on shore or communication except by quarantine mode.

CHAS. MORTIMER."

From this I considered it proper to direct the Capt. to Quarantine until I hear from you. I think if a general proclamation could be issued it would answer, but at present it is considered that vessels coming

1794. Oct. 4th. only from the places mentioned in your proclamation are liable. but common safety has been my motive for directing this vessel to lie. and I shall examine all coming from thence & Philadelphia, as report says it is there also.

I am, &c.

Received at Winchester, Oct. 3d, 1794. fifty-four stand of arms and forty-nine Cartridge boxes.

THOMAS FISHER,
Conductor of Stores,
ELIAS LANGHAM, C. M. S.

Major Langham, Conductor Military Stores:

Sir:

Please accept in your care two Guns, three Bayonets and one Cartrouch box, & oblige your friend & humble servant,

WM. GILES, 4th Oct., 1794.

Rece'd the above. One of the Bayonets broken.

E. LANGHAM, C. M. S.

Kanawha, Oct. 6, 1794.

I do hereby certify that John Shepherd and John Carter were wounded by the Indians in the year 1792, at which time they were soldiers in my company then on duty by order of Col. George Clendenen. John Shepherd was wounded May the eleventh, 1792, and John Carter was wounded July 4th, 1792, of which soldiers were cured of their wounds by Elizabeth Alsbury who desires compensation therefor.

Given under my hand the above day and date.

JOHN MORRIS, Capt.

Kanawha County, Oct. 6, 1794.

I do hereby certify that the within mentioned service was performed by Captain John Morris and company in conformity to my orders.

Given under my hand the above day & date.

GEO. CLENDENIN, C. L. K.

JOSEPH FAUCHET TO THE GOVERNOR. 1794.

Joseph Fauchet, Minister Plenipotentiary from the French Republic to the United States, to Mr. Henry Lee, Governor of Virginia. Oct. 4th

Sir:

It was not until my return from New York to Philadelphia that I received the Letter which you have done me the honor of writing me, relative to the reclamation of a citizen of the State of Virginia. I am earnest to require of the Vice-Consul at Norfolk Information respecting that affair, and to assure you that Justice the most scrupulous shall be promptly rendered to the citizen for whom you interest yourself.

Receive, Sir, the assurances of my Respect.

R. QUARLES TO JAMES WOOD, ESQ. Oct. 4th

Sir:

Accompanying this Letter you will receive the customary Quarterly Return from the Arsenal, and an account of the Expenses attendant on the late Draught of arms, omitting stores on account of the United States, for which I have debited the United States agreeable to direction from the Board.

The Militia Guard has come into the Garrison, and I am requested to know through what channel they are to receive compensation for their services. The superintendant having contracted with several persons to carry on the Gun stocking business, and I believe, with a Brass Founder to supply him with mountings, feels himself at a considerable loss to determine in what manner he is to procure Musket Locks to carry on the work. I trust the Honorable Board will favor me with such instructions on the subject as they may deem expedient.

I have, &c.

THOMAS MATHEWS TO LIEUTENANT-GOVERNOR WOOD. Oct. 6th

I have taken the liberty to address you, supposing it would be agreeable to the Executive to receive every information respecting the movement of the troops from this State. Winchester

The troops have been considerably retarded for want of arms. Those expected from the Northward have in a great measure failed; and such of them as came forward were incomplete.

The State Arsenal has furnished us with 3,000 stand. This supply enabled us to forward 2,000 men completely equipped on Saturday last.

1794. Oct. 6th They marched under the command of General Dark. General Morgan follows to-day. By his orders I shall remain here to arrange and carry forward the remainder of the State's quota. My movement from this place depends on the arrival of the troops from Young's, Bradby's, Jones', Meade's and Bowyer's Brigades.

From the best information we have received, we are led to hope they will join in three days. Should this be the case, I shall leave this in the course of the present week.

The supplies expected here for the equipment of the troops have fallen far short for their convenient accommodation. They, however, submit with great cheerfulness, and appear actuated by true Republican zeal for the service in which they are engaged.

Colonel Carrington deserves great credit for his attention to the army. He has spared neither trouble nor expense to procure every thing necessary to make the tour agreeable. This, however, requires more time than he can well spare.

I am, &c.

Every account we receive from the insurgents breathes peace.

Oct. 7th THOMAS NEWTON, JR., TO LIEUTENANT-GOVERNOR JAMES WOOD.

This will be delivered you by Capt. Calvert, one of the Commanders of the Company under the requisition of the President. I refer you to him respecting the arms we have which were sent down some time ago. I showed them to Governor Lee when here. They are worn out and unfit for service. Some have bursted with powder loads.

The militia at Fort Nelson are discharged by a corps of the Gen'l Government taking their place.

From the death of Lt. Grayson, the command of the Company devolves to a Sergt., who now is at the Fort.

Two vessels are lying below, under apprehensions that they have the fever on board. They are from Baltimore.

I am, &c.

Cash in the Treasury 9th Octo., 1794, $9,001 85.

Officers of Government still to draw about 2,000 or 2,500 dollars

WILLIAM BERKELEY, C. Try.

Oct. 9th Application by the treasurer of the hospital at Williamsburg to the executive for warrant for £300 for use of hospital.

THOMAS MATHEWS TO HONORABLE LIEUTENANT-GOVERNOR WOOD. 1780

On Tuesday the seventh instant, I detached from this place Eighty Cavalry and three hundred & fifty Infantry on their route to Fort Cumberland. Since that time the detachments from Meade's, Jones', and Carrington's Brigades have arrived in camp. Young's Brady's, and Martin's are yet to come. We shall be short of the number required from this state. The corps from the several Brigades as they have appeared at the place of rendezvous must be deficient in number from the apportionment made by the Executive. Meade's and Carrington's Brigades are striking proofs of this—their corps arrived yesterday, and have strengthened us but two hundred from each Brigades. These deficiences will be severely felt if we should be called forward into active service. They must arise from a want of energy in our Laws for regulating the Militia; if so, the Law can not be too early amended. No. 134 Camp Winchester

The manner in which the troops have appeared equipped has been extremely distressing—many of them destitute of coats hunting shirt, shoes, and blankets. Some mode may be suggested to enable the commanding officers, either of Regiments or Brigades, to furnish the requisitions from their respective corps with those essential necessaries. Until this be done the service must be additionally severe on the soldiers and irksome to the officers. Desertions have become too frequent. Some expedient must be fallen on to enforce obedience. This can only be done by a reference to the commandants of Regiments thro their respective Brigadiers.

The citizens remaining at home, who hold commissions in the Militia, should give no rest to a deserter in their neighborhood, the people on proper representation to them, would feel it their interest to compel every man equally to contribute his portion of service. This appears to me the only mode. To send detachments from the Army after them, would be lessening our strength and be of no probable advantage. I have taken the liberty of enclosing for the information of the Executive, a general return of the Troops as they have arrived from their respective Brigades. This will give you, Sir, some idea of the probable strength of our quota. This return has been made by the Inspector General, who also performs the duty of Muster Master. I find his attention and assiduity to the discharge of the duties of his appointment, a great means of promoting that order which is so desirable in the organization of an army. Great credit is due to Col. Carrington for his exertion to supply the army. I can say with great Truth, that we are indebted to him for every convenience, every necessary we enjoy, and that from his efforts we shall be enabled to discharge our duty with more satisfaction than I at first expected. His zeal can only be rewarded by his country. He has the good wishes of the Army with him. From the information I have received from the detachments of

1794. Oct. 12th

Young's and Bradby's Brigades, I entertain a hope that they will join me to-morrow. If they do, I shall proceed on Tuesday to join General Morgan at Fort Cumberland, leaving at this place some trusty officer to collect and forward what stragglers may arrive after that period.

I am, &c.

Oct. 12th

I do hereby certify that at a Court held for Buckingham county on Monday, 13th of October, 1794, thirteen members present.

The Court proceeded to recommend a Colonel Commandant for this county in place of William Perkins, who resigned his commission, being of full age, Charles Yancey, Gent., Sam'l Allen, Gent., and James Dillard came before the Court as candidates. The Court proceeded to ballot, accordingly after examination, Sam'l Allen had six votes, James Dillard none, & Charles Yancey, seven votes. Ordered that Charles Yancey be recommended to the Executive to be commissioned as Colonel Commandant for this county.

Note.—It so happened that I did not make the entry on the Minute Book through hurry of business.

Given under my hand this 14th day of October, 1794.

ROLFE ELDERIDGE, C. B. Con.

Oct. 14th

ARTHUR CAMPBELL TO THE GOVERNOR.

Washington county

Claiming Sheriffalty for 1795.

Virginia, to-wit:

At a District Court held at Washington Courthouse the 4th day of October, 1791:

Arthur Campbell was fined for non-attendance as a grand juror.

Oct. 14th

GEORGE FRENCH TO LIEUTENANT-GOVERNOR WOOD.

Fredericksburg

Information having been lodged with me that a most malignant fever prevails at this time in the town of Baltimore, in the State of Maryland, and that there are large quantities of goods shipping from that place for several towns in this State (some of the vessels are now in this river on their way to this place), in consequence of which I have had a meeting of the Common Council of this corporation, who have determined to place a guard about one mile below the town to prevent all vessels coming from Baltimore from coming up or landing goods until we have your orders how to proceed, which shall be strictly adhered to.

I have, &c.

J. K. READ TO JAMES WOOD. 1794.

In obedience to your directions, I have been on board the schooner Federal, Captain Dennington. He sailed from Bowler's wharf (two miles from Fell's Point), Baltimore, on the 30th of September; brought but two hands from Baltimore, both of whom, with the Captain, are well, and no infectious disease on board. Oct. 15th Richmond

I am, &c.

THOMAS NEWTON, JR., TO LIEUTENANT-GOVERNOR JAMES WOOD. Oct. 15th

Your favor of the 9th inst. received. The French Privateer La Montague and a retaken vessel were brought as prizes into Hampton Roads by some of the British Frigates, which I know not. As I understood that the Governor had information thereof, I thought there was no occasion for further notice. I have also heard since I received your letter, that two Spanish vessels which were retaken, were brought in there also, but made no delay. I have ever considered my command did not extend farther than the limits of the Town, but have at all times given you the the earliest intelligence of arrivals and reports that came within my knowledge, and shall continue so to do; and should any infringement of the treaty between the French Republic and us happen, you may depend, if it comes within my knowledge, you shall have early notice of it. By the treaty, I consider the British ships of war ought not to be supplied with any articles whatever, for all of them have made prizes of the French and their property. (Article 17th.) It is sore against my will to show them any favor, as they daily capture or plunder our vessels. Norfolk

A sloop arrived this day from Madeira that was plundered of a quarter cask of wine a few days ago by a brig under Spanish colors, but supposed to be from Bermuda or Halifax. Her name, or the place, I am informed, could not be obtained.

The brig Abigal arrived yesterday from Grenada, but did not bring too, according to orders from persons employed to examine vessels from infected places. I ordered her down and to undergo an examination, which the Captain complied with, and says the pilot, Wm. Bennet, of Hampton, with a branch, boarded him and took charge of his vessel without ever informing him of the proclamation. Such men deserve punishment, but I do not know how to inflict it unless the pilot law will. I have given every caution in my power to the pilots, and am sorry to say they paid but little attention to your orders or any cautions. I consider them more to blame than the Captains who arrive. The vessel was examined and found healthy, and is discharged, having had twenty-five days' passage. I will thank you for a copy of the President's in-

1794. Oct. 15th structions; those I had were so often called for that they are —— of or mislaid, and rely that my endeavours shall not be wanting to enforce them in all cases that comes to my knowledge. I have wrote to Mr. Oster, a copy of which I enclose, which I hope may be approved of, and communicated your letter to Major Lindsay.

I am, &c.

Oct. 15th OSTER, FRENCH CONSUL, TO LIEUTENANT-GOVERNOR WOOD.

Norfolk I received the letter you have done me the honor to of writing me of the 9th of October, on the subject of complaints that at many times I have carried to Government respecting the enemies of the French Republic bringing into and keeping in Hampton Roads prizes which they have taken from the French.

As you did, sir, I presumed that orders had been given for the English Frigate the Terpsichore mentioned in my letter of the 31st of August, to the Governor, to leave Hampton Roads, but on the 25th of September, the time at which I renewed my expostulations, that same Frigate and some others, nevertheless brought in other prizes, which they kept until their departure, and my letter on that subject remained without an answer.

In future, if such a case should again occur, I will have the honor of informing you of it, and of applying to the Colonel Commandant of the militia of Norfolk, as you desire.

This disposition being fully satisfactory, I shall immediately acquaint with it the Minister Plenipotentiary of the Republic.

Oct. 15th THOS. NEWTON TO MR. OSTER, VICE-CONSUL FRENCH REPUBLIC.

Norfolk I have received a letter from the Lieutenant-Governor, James Wood, Esq., containing a complaint from the minister of the French Republic to the Secretary of State, viz: that the British Frigate Terpsichore had brought in the privateer La Montague a prize to Norfolk, or some of our ports contrary to our treaty with France.

Should anything of this kind come to your knowledge, you'll oblige me by letting me know it, that immediate measures may be taken to prevent an infringement of the treaty, and should any case come within my own knowledge, I shall take every step in my power to ensure a compliance of the treaty. I shall hold myself ready whenever you may think proper to inform me of any violations, and shall also inform you of any that may come within my own knowledge or information of others.

I am, &c.

Opinion of General Marshall.

1794.

Oct. 15th

An agent appointed under the act for the more effectual collecting certain arrears of taxes and duties, has purchased at a sale made in pursuance of that law, a tract of land, which he has since sold for a sum more considerable than he purchased at, and it is inquired whether the surplus is a gain to the Commonwealth, or ought to be credited to the sheriff.

The Act of Assembly is by no means explicit. It will admit of either construction, and there is some weight in the argument in favor of either.

The object of the Commonwealth is not to speculate, but to secure the collection of debts due to itself. The purchase of the agent therefore may be considered as a medium of collection. This idea derives aid from the clause directing the agent to sell for specie, commutables, or certificates as the arrears of taxes could or were to be discharged by law. It would seem probable that a discretion would have been left with the agent to have sold for either article as should be most advantageous for the Commonwealth, if the product of the sale was not to be credited to the sheriff.

But on the other hand, if the Sheriff should be credited with the profits of the sale, he ought to be debited with the loss. It is by no means certain that this would be the judgment of the court, for the act speaks of the purchase of the agent as an absolute purchase, and not a mere substitution of himself in the place of the acting sheriff for the sole purpose of selling the property. The act too directs the amount of the sale to be endorsed on the execution. This forms an immediate credit to the sheriff, and the law nowhere authorizes a recharge of the deficiency should one arise.

I am therefore of opinion that the agent ought not to credit the Sheriff for the proceeds of the sale made by himself, and I give that opinion with the less reluctance, because should the law be otherwise, the party can immediately bring it before the court, and the Commonwealth will be assured on losing the profit of this sale, that she is secure against loss on a future occasion when the property may sell for less than the sum given by the agent.

J. MARSHALL.

Oct. 16th, 1794.

General Marshall's Opinion.

Ques. 1st. Are those delinquent who have failed to obey the requisition lately made on the Militia, liable to the fine which is not to exceed one year's pay by the Federal law, & also to ten dollars for not appearing at the place of rendezvous by the State law?

1794. Oct. 15th

2nd. Are subjects or citizens of foreign powers liable to the penalties from Militia laws?

Ans. 1st. I rather incline to the opinion that only the fine imposed by the Act of Congress ought to be collected.

The words of our Act of Assembly are general, and I have no doubt of the power of the legislature to give additional penalties for the breach of any law of the Union, but I rather suppose the act of the Virginia Assembly would be construed to apply to cases to which the Congressional Act could not apply.

Ans. 2nd. I do not think the subjects or citizens of foreign powers liable to the penalties of our Militia law. The Act of Congress plainly excludes them from the Militia, and the Act of Assembly is expressed to be enected for the purpose of carrying into effect the Militia system of the Union.

J. MARSHALL.

Oct. 16th, 1794.

Oct. 15th

Dr. J. K. Read's Report.

Sir:

Inclosed you have the report of Doct. J. K. Read from on board the vessel lately from Baltimore.

He, with myself, do not think there is any occasion for performing Quarantine. But if your opinion should be otherwise, please to inform

Your most humble servant,

JOHN HAGUE, Superintendent.

October the 16th, 1794.

Oct. 17th

William Davies to James Wood, Lieutenant-Governor.

I thank you for your promised attention to my memorial on the 21st instant. On the 20th and 22nd I have public sutes to attend in Southampton by appointment, but I hope my absence may not be deemed a reason for postponing the decision.

I am, &c.

Oct. 19th

George French to the Lieutenant-Governor.

Fredericksburg

I have the honor of your letter of the 15th instant; being out of town till the 17th instant prevented me from writing you sooner. I beg leave to nominate Mr. Jas. Allan, Jun'r, as a fit person to be appointed as Superintendent of Quarantine for this Port. He has done that office last year,

and this with great vigilance. There is a vessel now from Baltimore loaded with goods for this place, that is stopped by the guard one mile below this town. Mr. Allan, who attends the guard morning and evening, informs me that the people on board said vessel appear to be healthy. She has been fourteen days on her passage from the aforesaid port. 1794. Oct. 19th

If Mr. Allan should be appointed superintendent, it would be well to give him some instructions re——— this vessel.

I have, &c.

R. QUARLES TO JAMES WOOD, LIEUTENANT-GOVERNOR. Oct. 20th

Captain Tinsley waits now on the Board to receive their sanction to draw the money for the last quarter's wages and disbursements at the arsenal. The warrant I obtained when last with you is still unsatisfied, by which the public not only suffer by a loss of its artists, but I am myself peculiarly mortified in not being enabled to fulfill contracts entered into on behalf of the state. Columbia

Permit me, therefore, to solicit your friendship in relieving my distresses, & you'll oblige,

Your, &c.

J. AMBLER TO THE LIEUTENANT-GOVERNOR. Oct. 20th

The extremely embarrassed state of the Treasury compels me to solicit the advice and direction of the Hon'ble Board. Treasury

We have at present in the public Chest $6,882 97 cents only, and we have had for some time past the most pressing demands made on us, on account of the State's subscriptions to the several Canals; the Federal Building; for the support of the Lunatic Hospital, and the public Arsenal, to the amount of more than fifty thousand dollars—besides numberless warrants hourly presented by individuals, and payment pressed in the most urgent manner. Should we attempt to discharge these as they come in, the Treasury will be exhausted in a few days, and of course the first-mentioned claims remain totally unprovided for. Under this extreme embarrassment, I must entreat the advice and direction of the Hon'ble The Executive, who alone are authorized to determine what claims the present exigencies of Government may render it necessary to give a preference to.

I am, &c.

1794. GEORGE LEE TURBEVILLE TO THE LIEUTENANT-GOVERNOR.

Oct. 20th Richmond County — Protesting against the appointment of Col. Wm. Peachey as Sheriff of Richmond Co., as contrary to Law.

Oct. 21st GEORGE SALMON TO THE GOVERNOR.

Baltimore — By late letters and other plausible information, we learn that under an idea of a contagious Fever raging in Baltimore with great mortality, measures have been adopted under the sanction of your proclamation, to restrain the intercourse with this place, whereby persons carrying Goods and Travelling from hence to Virginia, are subjected to detention and inconveniency Injurious to commerce, and to Individual Interests in both places. We therefore think it our duty to address you on the subject, and state to you candidly and truly our real situation.

A Fever did prevail in Baltimore during the months of August and September, and in the early part of the present month, which was attended probably with more than the usual degree of mortality for the season; but on the late favorable change of weather the disease abated, and for eight or ten days past has entirely disappeared, so that we can truly say the Inhabitants now enjoy their usual Health; and we conceive that no danger can reasonably be apprehended from the freest intercourse with this place, or from Goods transported from hence to other parts. Scarce any of our Fall Goods were arrived, and we believe none were opened untill the Town became Healthy, and it is still a doubt whether the Fever was Infectious—many of the Physicians positively denying that it ever was so.

These facts, which if necessary can be ascertained on the most satisfactory evidence, will, we hope, be sufficient to induce a discontinuance of measures which prudence had urged you on this occasion to adopt for the safety of the citizens of your state.

In behalf of the Committee of Health, with great consideration and Respect,

I am, &c.

Oct. 21st THOMAS BREND & ARCHIBALD CURRIE TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Richmond — Engaged in binding the Laws of the State solicit an advance of money to enable them to perform their contract.

THOMAS NEWTON, JR.; TO THE LIEUTENANT-GOVERNOR. 1794.

A vessel arrived yesterday from Jamaica, whose Captain & Mate died on the passage. I have directed her to perform quarantine until I can with certainty know whether any other of the crew may be infected with the fever. Two others have laid quarantine, one is gone to sea, the other discharged, the crew being in health. I really am of opinion that the State should purchase Crany Island for this purpose, as it might in all probability be the means of stopping infectious diseases being spread in this country. At present we are obliged to trespass on the owner to bury the dead, and in many other instances. I hope you will excuse me for mentioning this case, but as the Assembly are shortly to meet, I thought if the case was laid before them they would not hesitate to purchase it, as humanity dictates that those unfortunate people who are compelled for general safety of the public, should have a place on shore for recreation. It is the case in Pennsylvania. They have I am informed two houses—one for the diseased, and another for those in health to remain in a few days. Oct. 21st Norfolk

Three British line of battle Ships are in Hampton Road. Supposed Admiral Murray's squadron. The Frigates expected, are off.

I am, &c.

EDMUND RANDOLPH TO THE GOVERNOR. Oct. 22d

It gives me pain to inform your Excellency that Mr. Fauchet, the Minister Plenipotentiary of the French Republic, believes that he has reason to complain of the treatment which French Prizes have too often received in our Ports. Philadelphia

He represents, that by the machinations of the enemies of his country, the captors are harrassed by seizures, arrests and detentions the most vexatious and cruel. That as soon as the claimants are foiled in one attempt they betake themselves to another. On my part, as from the confidence which the President reposes in the Executives of the States, they have been requested to fulfil the general rules laid down by him. I could only undertake to address your Excellency upon the subject.

Mr. Fauchet is anxious that a bond should be given by the Claimants before the Executives shall interpose in any case of a Prize. Doubting the legality and expediency of this suggestion, I have it not in my power to recommend it. But, I have assured him that none of the Chief Magistrates of the States will ever interfere without a strong presumption of title. A late circumstance has, however, brought to view the practicability of oppression, unless precautions be adopted by the Executives. The claimants may often pursue a double chance, by first procuring a trial before the Governors, and if defeated, by next resort-

1794. Oct. 22d

ing to the Courts of Law. It is desirable, therefore, that whereseever an application shall be made to your Excellency with respect to a prize, you should cause it to be examined well, whether the Courts have jurisdiction to enquire into the affair. If they have, then it seems proper that your Excellency shall not interpose. If the Courts have not jurisdiction, and you are convinced that there is good ground for detaining the prize in order to comply with the rules established by the President last year, then, and then only, your Excellency will so proceed. By these means, the vexation complained of will be avoided as far as lies in the power of the Executive of the United or Individual States, and the construction of the Treaty will be left to the Judiciary, who are more peculiarly the expositors of it. By these means also, the article of that Treaty will be best preserved from violation, and the honor of our nation sustained.

But nothing which I have now taken the liberty of offering to your Excellency's consideration, is intended to check the succour which at any time you may find it necessary to give to the officers charged with the execution of legal process.

I have, &c.

Oct. 23d

ROBERT BROOKE TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Fredericksburg

Permit me to inform you that in the months of June and July last, I (as counsel for the Commonwealth), attended the Escheators of the counties of Fauquier and Frederick, when juries were a second time empanneled to inquire into the right of the State to such parts of the Manor of Leeds as lye within those counties; but as the juries did not agree and nothing decisive was done, I thought it then unnecessary to trouble the Executive with any communications on the subject.

I however now have the satisfaction of informing you that on the 29th of August last I was more successful with a third jury impanneled for the county of Fauquier, who unanimously found that the Commonwealth is entitled to ninety thousand acres of land, being that part of the Manor or of Leeds which lyes in that county.

This inquisition was regularly returned to the last District Court held at Dumfries, on the 21st inst., where I also attended on the part of the Commonwealth, and am happy to add that after a lengthy and full argument of the case, the Court sanctioned the finding of the jury by rendering a judgment pursuant to it.

From this judgment the claimant of the land hath appealed, which I supposed it proper immediately to communicate that such steps are deemed proper to sustain the right of the Commonwealth in the Court of Appeals, may be directed.

The Governor's letter directing me to attend at the last district court

held at Winchester in aid of the Deputy Attorney there (in consequence of my absence from home), was not received in time to enable me to comply with its contents, or they would have experienced every attention on my part. 1794. Oct. 23d

I have, &c.

Sir:

Mr. Pollard will be content at present with a warrant for nine hundred and eighty dollars 18 cents, in behalf of the James River Company.

Your obed't servant,

J. AMBLER.

Treasury, 23rd Octo., 1794.

JOHN CARTER TO JAMES WOOD, LIEUTENANT-GOVERNOR. Oct. 23d

In consequence of a report which was communicated to me by the Auditor, tending much to my disadvantage, I now take the liberty of enclosing to you such documents as I can at present obtain, in order to contradict an assertion fraught with malice and design. The low state of the Treasury, together with Mr. Ambler's request to accommodate some Gentlemen who had demands on the Treasury, & my friendship for particular characters, I was induced to advance them the nominal amount of their claims, wh— was thankfully acknowledged. These friendly transactions have been commented on by men who are unworthy of my notice, and whose suspicions merit your contempt. They have attempted to convert these friendly exertions into negotiations of profit and gain. My acquaintances who live in distant parts of this State, have frequently required my assistance in the disposal of their public and private papers, which I have always attended to without receiving any emolument whatever, and should have conceived myself unworthy of their acquaintance had I withheld my friendly assistance. This may have given rise to the prevailing report, and shall esteem as a singular favour if you will communicate it to the members of your honorable Board, and flatter myself they will agree with me that it is a malicious and groundless assertion. Had I time I could procure many other documents in support of my friendly aid, which has been so grossly misapplied by some censorious persons.

Relying on your disposition to redress the wrongs of an injured person, I rest assured you will have that justice done wh— I hope you will conceive I deserve.

Am, &c.

P. S.—The indisposition of Col. Goode, prevents me from obtaining

1794. Oct. 23d — his certificate shewing I advanced him in part of his salary, and refusing at the same time making any discount wh— he proposed.

J. C.

Certificate of Wm. Galt of the generosity of Jno. Carter in advancing money on his claims without charge.

Certificate of same by W. Fenwick.

Certificate of Wm. Berkeley of advance of money to him by Jno. Carter.

Certificate of Jno. Hopkins of advance of money by Jno. Carter without charge.

Oct. 23d

Joseph Prentis to Mr. John Carter.

Williamsburg — Certificate of Jos. Prentis of money advanced to him by Jno. Carter without charge.

Oct. 23d

Governor Lee to General Wood.

Head Quarters, Fort Cumberland — All hopes of my return to Richmond in time for the Gen'l Assembly, being done away, you will of course take the part assigned to you by the Constitution, and make all necessary communications to the G. Assembly belonging to the Executive Department.

I enclose two Letters, which plase to present, and a copy of General Orders which will announce our situation and progress with everything worthy of notice at present. My best respects and regard attend all my friends with you.

Farewell.

Oct. 23d

General Orders.

Head Quarters, Bedford, Oct. 21st, 1794.

Parole, Virtue. Countersign, Perseverance.

To-morrow at the hour of eight in the morning, the light corps will advance. Major-General Morgan will lead the one acting with the left wing, and Major-General Frelinghuysen the one with the left wing. On the next day at the same hour, the army will move in two columns, the right wing composed of the New Jersey and Pennsylvania lines, forming the right column under the immediate command of his Excellency

Governor Mifflin, the left wing composed of the Maryland and Virginia lines, forming the left column with the commander-in-chief. The Quartermaster-General will continue with the right wing, and the proper officers in his department, and the department of forage, attended by a sufficient number of axemen, will accompany the light corps, under whose protection they are to prepare all necessaries for the army. Abundance of straw must be ready for the troops, inasmuch as their health greatly depends on their sleeping dry and warm. The utmost regularity must be preserved on the march and in the mode of encampment, which must be always in three lines, the cavalry in the centre, unless prohibited by the nature of the ground. Dragoons are dreadful in light, and impotent without light, there safety during night must therefore be regarded; the artillery to move as a park and march in the centre. 1794. Oct. 23d

Constant communication must be preserved between the light troops and the main body, and between the respective columns with all other precations necessary to protect the troops from surprise or insult. Whatever may be the professions of the insurgents, they are not to be regarded. Men who have acted a part so atrocious will cheerfully add to their guilt, if it can be done with impunity. Carelessness in the conduct of the army will invite attempts upon it, and produce war, while vigilence in the conduct of it, will arrest the one and inhibit the other. The different columns will be precise in the execution of the daily marches assigned to them respectively, and if from unavoidable accidents either should fall short one day, the deficiency is to made up the next day, otherwise the mutuality in operation will be lost, and the army will be exposed to the disgrace and evils of discordant movements.

The particular routes with the necessary instructions will be given to the commanding Generals, and will of course form the rule of their conduct.

When the right wing reaches ——— it will divide into two columns, the New Jersey Line and Brigade of Cavalry under Brigadier White, forming one column, to be commanded by his Excellency Governor Howell, will take a direction to the right, while the Pennsylvania Line with the elite corps will pursue this original route under the orders of Governor Mifflin. When the column divides, the right will move from their right and the left from their left, chosen parties of horse must follow the rear of each wing to arrest stragglers from the line, and protect the property of individuals, to the due preservation of which in every respect the utmost attention is to be paid by officers of every rank.

The President of the United States being about to return to the seat of Government, has been pleased to direct the commander-in-chief to present to the army his affectionate wishes for their welfare and happiness. In no way can the very grateful command be so fully executed, as by publishing the very words of the President which are accordingly subjoined:

1794. "United States (Bedford), October 20th, 1794.

Oct. 23d "To Henry Lee, Esquire, Commander-in-chief of the Militia Army on its March against the Insurgents in certain western counties of Pennsylvania.

"Sir:

"Being about to return to the seat of Government, I cannot take my departure without conveying through you to the army under your command, the very high sense I entertain of the enlightened and patriotic zeal for the Constitution and the Laws, which has led them cheerfully to quit their families and homes and the comforts of private life, to undertake, and thus far to perform a long and fatiguing march, and to encounter and endure the hardships and privations of a military life. Their conduct hitherto, affords a full assurance that their perseverance will be equal to their zeal, and that they will continue to perform with alacrity whatever the full accomplishment of the object of their march shall render necessary. No citizens of the United States can ever be engaged in a service more important to their country. It is nothing less than to consolidate and preserve the blessings of that Revolution, which at much expense of Blood and Treasure constituted us a free and independent Nation. It is to give to the world an illustrious example of the utmost consequence to the cause of mankind. I experience heartfelt satisfaction in the conviction that the conduct of the troops throughout will be in every respect answerable to the goodness of the cause and the magnitude of the stake. There is but one point on which I think it proper to add a special recommendation, it is this, that every officer and soldier will constantly bear in mind, that he comes to support the Laws, and that it would be peculiarly unbecoming in him to be in any way the infractor of them; that the essential principles of free government confine the province of the Military when called forth on such occasions to these two objects:

"First, To combat and subdue all who may be found in arms in opposition to the national will and authority.

"Secondly, To aid and support the civil magistrate in bringing offenders to justice. The dispensation of this Justice belongs to the civil magistrate, and let it ever be our pride and our glory to leave the sacred deposit there unviolated.

"Convey to my fellow-citizens in arms, my warmest acknowledgements for the readiness with which they have hitherto seconded me, in the most delicate and momentous duty the Chief Magistrate of a free people can have to perform, and add my affectionate wishes for their health, comfort, and success. Could my further presence with them have been necessary or compatible with my civil duties, at a period when the approaching commencement of a session of Congress peculiarly urges me to return to the seat of Government, it would not have been withheld. In leaving them, I have less regret as I know I commit them to an able

and faithful direction, and that this direction will be ably and faithfully seconded by all." 1794. Oct. 23d

To this parental council of our beloved chief Magistrate, the commander-in-chief begs leave to add the flattering hopes he entertains, that the conduct of the army will justify the favorable anticipations formed of it. Thus shall we establish to ourselves a character the most amiable, and exhibit to posterity a model for all future armies.

Lest, however, some individuals may have crept into the ranks, callous to all the feelings of honor and virtue, and consequently the fair character so justly due to the great body of the troops, may be snatched from them by the licentious tresspasses of a few, the commandants of Divisions, Brigades, Regiments, and corps, are required to examine minutely their respective troops before the army moves, and to dismiss all whom they may deem unworthy of participating in the honorable service in which we are embarked.

Six rounds of ammunition are to be issued to all corps as yet unfurnished; the troops are to draw two Day's provisions on alternate Days during the march; the Pennsylvania and Maryland lines to draw on one Day, and the New Jersey and Virginia lines on the next day; this system will be convenient to the superintendants of provisions, and consequently tend to secure punctuality in the supplies.

The Commander-in-chief has been pleased to appoint Major Alexander and Major Thomas Nelson, Deputy Adjutants-General, Dr. Welford, Surgeon-General, Majors Heard, Morgan, and Chetwood, aids-de-camp. They are to be respected accordingly.

It is to be understood that no appointments in the line of the army are to affect appointments of any sort heretofore made.

JAMES HANKINS TO JAMES WOOD, LIEUTENANT-GOVERNOR. Oct. 24th

Resigning commission as captain of volunteer militia.

CHARLES COCKE TO SAMUEL COLEMAN. Oct. 24th

Authorizing him to draw his pay as commissary of Capt. Hawkins' Lee county company.

JAMES A. BRADBY TO THE EXECUTIVE OF VIRGINIA. Oct. 26th

The pain and concern I have experienced since seeing my letter to his Excellency, Henry Lee, Esquire, dated the 12th of September last in Mr. Davies' paper, with the remarks of a man whom I shall make free Surry

1794. Oct. 26th

to mention to the world at a subsequent period, is more easily conceived than expressed. What strikes alarm in my Breast is to discover a letter written by a civil & military officer, and from the purest of principles, and to one of the pillars of our Government, published to the world without an inquiry being made whether what was contained in the letter was true or not, or whether he was justifiable in giving the informamation he did.

The cause of my assuming the freedom to write you is from a desire of being informed whether a copy of my letter was given out by order of the Board. If it was given out by order of the Board, I suppose it must be correct, for I have ever entertained a high opinion of the Executive of Virginia, and never had an idea that they would do anything that was either repugnant to the common usages or law of the land. But pardon me; should this letter have been given out by order of your Hon'ble Body, it cannot, as I conceive, Gentlemen, have any good effect. Rely on it, that it puts a stop to many, and perhaps necessary, communications to your Board, for if they are made as appears, the informants must prepare to answer plain Blackgardism either by the pen or something more harsh. And if men are compelled to use either for doing but their common duty, altho' they may not be less averse to fighting than men generally are, yet there are few, very few indeed, that are disposed to personate the State or Union.

I have not presumed (as I am of an opinion) to write anything to your board but what I conceived it my duty to do.

Was the highest officer in the State or Union to do or say what I thought derogatory to the interest and happiness of either, I would have informed against them. But I am to be thus rewarded for the zeal I have at all times manifested for my country, & on the late unfortunate occasion I can and will publish to the world affidavits of my conduct. Should these things, Gentlemen, be sanctioned, jealousies will hover around men, and who are actually the despots will become a question.

The most of your honorable Body have been acquainted with me in the charactor of a legislator for several years. You can determine how much of a despot I am. I despise the name Gentlemen. I love peace, liberty, and equality. I would step forward at any moment to support it. It is, and has been, my principle to do everything to support my country, & reclaim any feverish humors that designing men may wish to infest a country or even a county with. But, Gentlemen, those sentiments will soon grow feeble and dwindle to nothing if they are to be rewarded by the publication of letter or letters. Reflect for a moment when this letter was wrote—at a period when the whole American world represented in the strongest colours an unhappy civil war. Emissaries, it was said, were going through our country with British Gold in their pockets, and that it might have found its way into my Brigade was a matter not very questionable. At the time I thought it prudent to write, & send an Express to the Governor. I considered it my duty,

being charged and honored with the offices. I am to let not the smallest attempt that might be made to disturb the minds of men by any act or declaration, pass unnoticed, and was ready myself to have gone forward, and would have done so cheerfully had it have been my lot in the support of my country & its laws. But rewarded I am, indeed! The circumstance must alarm every man who regards quiet, and wishes to preserve the laws of our country. 1794. Oct. 26th

I am hopeful, Gentlemen, you will excuse (if it may be so termed) the prolixity of my letter. I have no other apology to offer than the importance of the cause which has induced me to write.

Mr. Rowland Holt will hand this letter to your Hon'ble Body when setting, and the favor will be forever gratefully remembered if you will take the same immediately under consideration, and favor me with an answer by him.

I have, &c.

At a Court of Quarterly Sessions continued and held for Patrick county, on Thursday, the thirtieth day of October, 1794: Oct. 30th Winchester

Thomas Whitlock recommended as a proper person to serve in the commission of the peace.

E. Langham to James Wood, Lieutenant-Governor. Oct. 30th

I am this moment about to leave this place to join the army with two waggon loads of Cartridges which I have been detained to get made. All accounts that I have lately received from the westward assure that there will be no fighting, and that our militia will shortly return. Richmond

You was kind enough to say when I last had the pleasure to see you, that my representative at the Point of Fork should not want money to carry his purchases for me into effect, even if you was obliged to negotiate so as to procure the money for him until the quarterly returns came on to reimburse it.

I have remitted him (with the assistance of funds from this place) 200 dollars, in addition to the 200 that the Executive was good enough to advance when I was down, through your favorable interference. I judge that he will require about 200 dollars more to complete his purchases, as I wish meat and corn laid in sufficient to carry my contract to an end, which is the 1st of June next. You will therefore oblige me by getting 200 dollars advanced to my brother, to whom I have sent this letter to be forwarded to you by some person that he can depend on, which with the moneys sent him will lay in my provision. If it can't be advanced, if you will please so to negotiate for me as to send him the money, it will be a singular favor, and you will further oblige

1794. Oct. 30th me very much by getting an advance by negotiation or otherwise, so as to furnish Mr. Archibald Magill with forty-seven pounds, ten shillings, provided he leaves Richmond before the 1st of January next. At that time there will be considerably more due me than will reimburse the whole, and will lay me under additional obligations.

I got to this place with the stores from the Point of Fork before any stores of consequence arrived belonging to the United States.

I have, &c.

Oct. 30th

CHARLES YANCEY TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Richmond

Your favor of the 29th inst. is gratefully received, wherein I learn that you, with advice of Council of State, have advised that the commission of Colonel Commandant for the County of Buckingham issue to Sam'l Allen, Esq., contrary to the order of the worshipful Court of Buckingham. Conceiving him entitled by rotine, & further having understood that there was a very thin board of council on the determination, I request of you not to issue a commission to Mr. Allen until a second & full board can be had to reconsider the Recommendation before mentioned.

You will please advert to your records and you will find that I bore a Lieutenant's Commission & then a Captain's several years since, and further on examination you will find that Mr. Allen got a Major's Commission about three months since when the Court recommended all the Militia Officers to complete the Roll agreeable to Law by Grades, &c., but you will find this case is a vacancy (wherein the Law gives the Court a latitude). I shall, therefore, rest assured the business will be reconsidered and no commission issued until then. After which time you will be kind enough to inform me by letter.

I am, &c.

P. S.—You will find that I was a resident of Louisa County when I was commissioned many years ago. Since moved to Buckingham.

Nov. 1st

W. GOOSLEY TO SAMUEL SHIELD, ESQ.

York

Promising to pay the amount of an execution in the hands of Shield, Sh'ff, against him for deficiency of Rev. of 1791, due by Sheriff Smith with costs and damages if required.

Enclosing a bond for £80 & an execution to be exchanged.

Remember the Business of the orphans whose income will not support them.

The fine recovered against Mr. Shields, Sheriff York, for not returning according to Law an Ex'on against his immediate predecessor, Mr. Goosley, amounts to Eight Dollars 98 cents. The Ex'on is returned & satisfied & Mr. Shield has paid the costs on the judgment for the fine. 1794. Nov. 1st

J. PENDLETON, Auditor.

Auditor's Office, 14th Nov., 1794.

GEORGE REVELEY TO THE GOVERNOR. Nov. 1st

I received the Deed for me to get signed by Ballentine and Reveley, which I should have got executed long before this, but at that time I was taken sick, and has continued so to this time. I am now well and fit for Business, and will proceed about it Immediately, but am at present not furnished with money to bear my expences. Reveley lives near Fredericksburg, and Ballentine in Loudoun county. I intend going by Land; the expence of travelling I suppose to cost about thirty dollars, which, if you will please to give me an order for on any Gent'n in Norfolk or this place, I will immediately set off on y'r Business and return to Richmond in three weeks. Portsmouth

I am, &c.

At a court of Directors of the Hospital for the maintenance and cure of persons of unsound minds, held at the said Hospital in Williamsburg the first day of November, 1794: Nov. 1st

Jas. Ruffin recommended for vacancy in court of Directors caused by resignation of Joseph Hornsby.

At a court of Directors of the Hospital for the maintenance and cure of persons of unsound mind, held at the said Hospital in Williamsburg the 29th day of October, 1794:

Ordered, That Geo. Carter be recommended to fill vacancy in court of Directors caused by death of Chas. Hunt.

W. WILSON TO LIEUTENANT-GOVERNOR JAMES WOOD. Nov. 2d

I am honored with your letter of the 25th of Octo'r, and beg leave to inform you your requisition therein shall be complied with so far as lies in my power. Portsmouth

That the laws of Nations, neutrality, and Justice are regardless bars

1794. Nov. 2d

to the depredation of those tyrants are unquestionable facts, as we have both proof and existence under our noses in this very port. In making this declaration, however, I may incur the charge of a breach of duty, but it is not the case, sir. What power I have has been exerted. I have made frequent remonstrances to the refractors respecting the impressment of our native seamen, &c., &c.

Many letters have been handed me from these unhappy citizens then on board the British ships under impressment, and the iron hand of oppression, begging their country to interpose in their releasment.

It is true I did prevail on Commodore Rogers to deliver up two, but I have reason to believe they carried off ten times two. We are at present rid of the gentry; they proceeded to sea last week.

Please forward the enclosed to Governor Lee, and it will oblige me.

I have, &c.

Nov. 3d

JOHN EVANS, JR., TO THE GOVERNOR.

Resigns commission as Lieutenant in company of volunteer militia.

PROCLAMATION.

By the Lieutenant-Governor of the Commonwealth of Virginia:

Whereas satisfactory information has been received that the malignant fever which unhappily prevailed at Baltimore, in the State of Maryland, has subsided, I have thought fit, by and with the advice of the Council of State, hereby to revoke my proclamation of the 7th day of October last, directing the performance of quarantine in certain cases by vessels arriving from the port of Baltimore.

Given under my hand, as Lieutenant-Governor, in the absence of the Governor, and under the Seal of the Commonwealth, at Richmond, the 4th day of November, in the year of our Lord one thousand seven hundred and ninety-four, and of the Commonwealth the nineteenth.

[Seal.] JAMES WOOD.

Nov. 4th

WILLIAM AP. THOMAS PARSONS TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Elizabeth City county

In your letter to me of the 25th (October), as commandant of the militia of this connty, you desire me to be attentive to seventh article of the Commercial Treaty with France; also to the correspondent rules of the President of the United States, said to be communicated to me in the

Governor's letter of the 5th of December. I must beg leave to inform you that the said letter has never come to hand, nor do I know what those rules are. 1794. Nov. 4th

I have, &c.

J. AMBLER TO JAMES WOOD, LIEUTENANT-GOVERNOR. Nov. 4th

Offering to pay the demand of the Court of Directors of the Lunatic Hospital, on the order of the Board, by issue of a warrant for three hundred pounds. Treasury

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JOHN PENDLETON TO JAMES WOOD, LIEUTENANT-GOVERNOR. Nov. 4th

The enclosed letter, from Agent Davies, alludes to an ex'on issued in behalf of the Co'wealth against the securities of Wm. Robertson, formerly Sheriff of P. George, for a balance of the taxes due for the year '89, about 350 dollars, exclusive of costs, and I am surprised that lands should have been taken and sold for so small a sum, as the securities must possess goods and chattels more than sufficient to have paid the debt; and, presuming the fact to be so, it would appear to me that the execution was not served according to law. (Acts of '92, chap. 16, sections 9, 11 and 16.)

I presume too that the lands taken were the property of Robertson, which were not liable to the operation of that Ex'on, and hence surmise that they were taken and sold to relieve the securities.

I am, &c.

JOHN MCCULLOCK TO JAMES WOOD, LIEUTENANT-GOVERNOR. Nov. 6th

I wrote to you since I saw you in which I informed you that the Indians had been very troublesome on our frontiers while I was from home. Shortly after I wrote to you, I had the Mortification to hear of the indians taking of three horses within a half a mile of my station, and myself without any command to have them followed. Ohio county

At this time it appears to be a doubt whether General Biggs will go to the assembly or no; if he should attend the sessions we shall be at a loss for a Muster Master to Muster our Rangers when their times is expired, as he was appointed to do it; therefore, I hope the Executive will give me such orders as will be necessary on the occasion, so that there will be no difficulty in our pay and muster Rolls. If the Rangers should be continued another year it would be of advantage to the officers who

1794. Nov. 6th is to command them to have their orders before the present time is expired. I hope the Executive will, if in their power, send us the Balance of our last year's pay. If it please the Executive to honor me with a command next year in this service I shall incline to continue. I am at a loss to no whether the spies that is under my command is to be discharged with the Rangers or no, and hope that the Executive will give me instructions what to do in that case. I shall in a few days take my post with the Rangers as the time of my suspension is nearly out.

I have, &c.

Nov. 7th DANIEL CARROLL, GUST'S SCOTT AND WILLIAM THORNTON TO THE GOVERNOR.

City of Washington We have been compelled to trouble you before on the subject of the third Donation granted by the Commonwealth of Virginia towards erecting the public buildings for the Congress of the United States. The late commissioners we find had relied on receiving the amount before this time. The disappointment places us under very considerable difficulties. We trust that on a due consideration of all circumstances, the Executive or honorable Legislature of the Commonwealth will take such measures as will discharge immediately the order which has been given by the President of the United States in December last, conformable to the resolve for that purpose.

We have, &c.

Nov. 8th W. FENWICK TO AUGUSTINE DAVIS.

Richmond Requesting payment of amount due £607 5. 4., money advanced for State.

Nov. 9th CHARLES YANCEY TO JAMES WOOD.

Buckingham By this instant you have had a second board of council. You will please to inform me by favor of Colonel Cabell, who will deliver your letter to some waterman who will deliver it to me. The first decision of Council has caused a great Tremour in this county, inasmuch that a very great contempt is offered to the Court, and expect that an application of some nature will be brought before the present Assembly relative thereto. Having understood that Mr. Allen's letter to the Executive is of a Pusillanimous nature, therefore request a copy at your Instance; I hope the clerk will have notice to send me a copy with his charge

annexed, which shall be forwarded to him. If it has so happened that the Executive have not decided between Mr. Allen and myself by the reception of this letter, I request of you, Sir, for a postponement until the 25th inst., at which time will be present, if you will be so kind as to inform me thro' the channel of Col. Cabell, who will forward a line to me), at which time circumstances may still appear much fuller before your honorable body. 1794. Nov. 9th

I am, &c.

Buckingham, 14th October, 1794.

Dear Sir:

In consequence of the acquaintance which I have the honor to have with you, I take the liberty to trouble you with a few lines.

The office of Col. Commandant of this county becoming vacant by the resignation of William Perkins, Esq., I did think as I now do, that being next in commission regarding grade and seniority in the Militia of this county, I was entitled of right to be appointed to the vacancy. The majority of one of this Court has thought proper, however, to recommend a certain Mr. Yancey, a Gent., as will appear by our records never bore any military commission in this county, to the Executive as person proper to supply the vacancy.

I beg leave, therefore, to trouble you, as the only acquaintance I have in Council, to lay this matter before your board, and if it is my right to obtain a Commission for, Sir,

Yours, &c.

THOMAS NEWTON, JR., TO JAMES WOODS, LIEUTENANT-GOVERNOR. Nov. 9th

Inclosed is an account of the charges of the look-out boat employed to prevent diseases being brought into this State. There are some other charges which I could not come at now, which shall be hereafter sent on: Such allowance as you and the Council may think proper for my services will be perfectly agreeable. I have been at some expences, which I kept no account of & shall be contented for them in the allowance made. The season being so far advanced that I think there is no danger of any disorder being brought in, if you think proper I will discharge the boat; I shall await your order for it. A British Ship of War is in, from whence I have not heard. Norfolk

We have been at a great loss respecting our general musters, not knowing who was to order them, and a misconstruction of the Law in some of us, Sec. 17th of the Law requires the Brigadier-General to order the muster, and in his absence the commanding officer of the Brigade, we know not who he is, having never been furnished with our rank. I

1794. Nov. 9th

have also misunderstood the Sec. 34th, having ordered a Court Martial in November, considering that if the muster was held in May or October that the Court for assessment of fines could be held any time after in fifteen days. I shall be exceedingly obliged by your advice on these subjects, as they have happened for want of knowledge who's duty it was.

I am, &c.

Nov. 9th

JOHN MORRISS TO THE GOVERNOR.

Kanawha

Give me leave once more to renew my application for the pay and subsistance for my Company for the year 1792. How it is that so much contention and disappointment have happened in this business I am at a loss to determine, as I am sure Col. Clendenin give no orders without authority, nor did I exceed the orders he gave me, but am led to believe that some disappointed persons have been doing every thing in their power to Prove to the Executive that s'd Service was unnecessary and that it was not performed, but convinced I am that there never was more service rendered in this country than there was in that year, and particularly by my Company. Indeed they rendered almost all the service that was for the defence of that country. I have lately been informed that some wicked persons have insinuated that I signed a certificate for ammunition for William Christian which was not furnished.

Some time ago, Mr. Caperton's friend, Mr. Kelley, was down Trying in an underhand manner, to establish this false Report, however, he found himself disappointed.

I am, &c.

Nov. 9th

AUGUSTINE DAVIS TO THE LIEUTENANT-GOVERNOR.

The time designated for the completion of the revised Code of Laws having elapsed, I am necessarily constrained to inform your Honorable Body that the primary cause was a disappointment of a supply of paper from England last spring; the vessel having put into Guadaloupe thro' some unaccountable cause, in which 128 Reams were shipped & the paper totally loss, at least nothing since ever heard of it.

To obviate which difficulty, and no other chance existing of a further supply from that quarter until the arrival of the fall vessels, I immediately sent to Philadelphia for 100 Reams, but there being none of that size and quality then to be had there, impeded the progress of the work till the paper could be got ready, which was not effected till four or five weeks after the stipulated time, and with this supply I have with unremitting assiduity prosecuted the business, and had not the sickness of

my workmen operated as a second cause, the work would have been accomplished by this time. Permit me to assure your Honorable Board that no exertions have been or shall be wanting on my part to the accomplishment of the undertaking, and to add that I hope to lay the publication before your Honorable Board in a few weeks; that not being now more than four or five Laws and the Index wanting to complete the whole. 1794. Nov. 9th

Mr. Fenwick has handed me his account for the paper imported, which I herewith enclose to your Honorable Board, together with his importunate Letter to me yesterday for immediate payment of the balance, which, agreeably to our contract, he has a right to expect. I therefore flatter myself that your Honorable Board will take the same into your immediate consideration, and make such provision for the payment of the balance agreeably to the account Noted as the necessity of the occasion requires.

I have, &c.,

JOHN HAGUE TO ———. Nov. 10th

The Superintendent for the ports of Richmond and Manchester having been informed that the small-pox was in Petersburg, and a vessel having passengers on board from that place arriving last evening, he thought it his duty to call on the health officer to accompany him on board the said vessel for the purpose of examining the state of health of Passengers and crew. Richmond

He begs leave to report to the Executive that the crew and passengers are healthy, and that no danger seems to be apprehended of their having the infection of the small-pox on board.

H. KNOX TO LIEUTENANT-GOVERNOR WOOD. Nov. 10th

I have the honor to inform you that it is the intention of the President of the United States to establish within the Commonwealth of Virginia an arsenal or magazine for the United States. It is, however, first necessary that the consent of the Legislature of Virginia should be obtained for the purchase of the necessary ground for this purpose in pursuance of an act passed the second of April last, entitled an act to provide for the erecting and repairing of arsenals and magazines, and for other purposes. It is, sir, the request of the President that you would be pleased to take the proper measures for obtaining the consent of the Legislature for the purchase of the land, which is not contemplated to exceed in quantity six hundred and forty acres. War Department

I have, &c.

1794.
Nov. 10th

In the House of Delegates,
Wednesday, the 12th of November, 1794.

Resolved unanimously that the spirit, alacrity, and promptitude with which the militia of this Commonwealth obeyed the necessary call of their country to support the constituted authorities by enforcing obedience to the laws of the United States, present a bright example of patriotism, and ought to be held in effectionate remembrance.

Teste:

CHARLES HAY, C. H. D.

November 18th, 1794, Agreed to by the Senate,

H. BROOKE, C. S.

Nov. 12th Kanawha County, to-wit:

This day George Fitzwaters came before me, George Clendenin, a justice of the peace for said county, and made oath that he was appointed by Captain William Clendenin a corporal in his company for the defence of Greenbrier and Kanawha, and that his said Captain assigned him with three men to keep the post at the ford of Galley river. That since Allyn Pryor and John Reynolds became contractors, they have never been furnished with the ration established by law, nor has any of the said gentlemen entered into any contract that the said Corporal Fitzwaters or any of his command to his knowledge, but furnish themselves.

Sworn to before me this 12th day of November, 1794.

GEORGE CLENDENIN.

(Signed) GEORGE FITZWATER.

Nov. 12th JAMES MCCRAW TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Resignation as escheator of Halifax.

In the House of Delegates,
Thursday, November 13th, 1794.

Resolved that the Executive be requested to lay before this House the reports of the agents appointed to superintend the collection of arreages of taxes pursuant to an act of the last session of the General Assembly.

Teste:

CHARLES HAY, C. H. D.

ROBERT MITCHELL TO JAMES WOOD, LIEUTENANT-GOVERNOR. 1794.

Your favor came to my hand last night. By being from home was the cause of your not having an answer by return of the messenger. Nov. 13th Richmond city

You observe that alarm is gone abroad respecting the small-pox being within this city. I do assure you that it is without foundation, and that no such disorder has been in this city since the inoculation in last January and February to my knowledge. Perhaps this report might arose from a negro coming from Petersburg with the small-pox last Saturday, but he is not in the city or within a mile of it.

I am, &c.

THOMAS NEWTON, JR., TO JAMES WOOD, LIEUTENANT-GOVERNOR. Nov. 14th

The Brittish ships, Lynx and Cleopatra, are in Hampton Roads; the latter took a schooner belonging to Portland from St. Marks bound to New York. They put on shore three men belonging to her, except one which I have requested the consul to have released. Norfolk

I am, &c.

Be pleased to forward the inclosed.

R. QUARLES TO THE EXECUTIVE. Nov. 14th

When the Executive thought proper to confer the Superintendency of the Public Arsenal on me, the duties of the office were confined to the direction of 8 smiths and 3 soldiers with a salary for this service of £100 per annum, with the advantages of one Ration for myself and another for my horse. Very soon after I came into office, the Hon'ble Board thought proper to augment the number of Smiths to 18 and the soldiers to 13; in consequence of which, the duties of my office became proportionately increased, without any additional compensation therefor. I feel myself justified in suggesting this subject to the Board, from a conviction that they have uniformly proportioned the Emoluments of this office to the cares and troubles attendant on the discharge of its duties; for when Capt. Peyton resided here with an inferior Garrison to the present one, his salary was £300 pr. an., and allowed a clerk with many other advantages. His successor, Major Langham, with less than half the present Garrison, received £150 for his services.

I trust the Hon'ble Board will readily perceive the additional duties to my office, and will credit me when I assure them that I am not only closely tied to the superintendance of the shops, but am obliged to act as officer of the Guard, Pay-master, Clerk, and Clothier to this increased

1794. Nov. 14th number. I presume it is entirely unnecessary to make any further comments on this subject, and with a reliance that the Board will from the first of October, 1793, make such additional compensations for my services as to them may appear just and right,

I have, &c.

In the House of Delegates,
Nov. 13th, 1794.

Resolved, That the privy council or council of State be requested to lay before the General Assembly the Journal of their proceedings during the last year.

Teste:

CHARLES HAY, C. H. D.

1794—Nov. 17th. Agreed to by the Senate.

H. BROOKE, C. S.

A copy—Teste:

CHARLES HAY, C. H. D.

Nov. 15th

JOHN BROKENBROUGH TO THE GOVERNOR.

Tappahannock

Inclosed is a small acct. as Superintedant of Quarantine. This vessel was at Philadelphia when the Yellow Fever raged there. Capt. Bradby and all his crew (except one negro) died there. Some hands were hired to bring the schooner round to this Port. On examination I thought it prudent to order her to perform quarantine, but they had neither provisions, water, or boat. I therefore furnished them with necessaries to proceed to Craney Island, and sent them off.

I am, &c.

Nov. 16th

JOHN BLACKWELL TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Fauquier county

Your's of the 30th of September I acknowledge the rec't of on the 4th of this Inst., and have given orders accordingly.

Major James Wright will hand you an accompt of the expenses of the detachment of Militia from the fifth Brigade to the Gen'l rendezvous at Winchester, with the necessary vouchers, who is empowered to settle and receive the ballance that may be found due. The unavoidable delays

of some of the companies of the [illegible] was made the accompt more than you apprehended it would have been, owing to the inattention of some of the county courts in the Eastern District not having complied with the Militia Law, the officers & men of the counties was never qualified untill long since the [illegible] marched. 1794. Nov. 10th

The greatest number of Capt. Cannon's Troop of horse has been enlisted since I gave him marching orders. The extra expenses of the Troop has been unavoidable.

I have, &c.

In the House of Delegates,
Monday, the 17th of November, 1794.

Resolved, that the Executive be requested to sell the mace now used by this House, and that the proceeds of the sales be deposited in the public Treasury.

Teste:
CHARLES HAY, C. H. D.

SAMUEL COLEMAN TO THE LIEUTENANT-GOVERNOR. Nov. 18th

The enclosed paper is the only voucher which Captain Caperton can now procure to establish the claim of his company to pay from the 15th of March, 1793, until the 25th of July following, on which day Captain Clendenin took command of the said company. Council office

I beg leave to refer to Colonel Steele for the best information which can be had on this subject, and

Have, &c.

FRA. WHITING TO NICHOLAS BLAIR, *Esq.* Nov. 18th

I have been induced, at the instance of number of young Gentlemen desirous of serving their country on any future emergency in the character of dragoons, to undertake to raise one complete Troop, to be mounted and equipt at our proper expence, and be ready in any call of Militia &c. You'll therefore, my dear Sir, do me and those Gentlemen a singular favour by making known our wishes to his Excellency, the Governor, and the Honorable Board, and let me know if communication can be meant for this purpose under the laws as they now stand, and if not, be pleased to lodge my name among my friends and acquaintances at the Board. If any law should be enacted this session granting his Excellency, &c., the power of making any new appointments Hardy county

1794. Nov. 18th

as it's believed by best judges that such will be done, seeing allmost all the cavalry of the State are on this Tramontane expedition.

Visiting Winchester in the time of the General review of the Troop, roused some sparks of military ardour that were not entirely extinguished in my breast, which being encouraged by my friends, induced me to make this arduous, and perhaps may hereafter turn out a dangerous undertaking.

Mr. Tate, who brings this, will charge himself with any answer you may be pleased to favor him with, and believe me with my best respects to the ladies of your family, to be,

Yours, &c.

P. B. W. and family leave us to-morrow. F. W.

In the House of Delegates,
November 19th, 1794.

Resolved, That the Executive be requested to furnish this House with all the information of which they are possessed, relating to the request made by the President of the United States, that Henry Lee, Esq., would take the command of the army raised for the purpose of suppressing the insurrection in the western counties of Pennsylvania, and of the time when the said Henry Lee notified the president of his acceptance thereof.

Teste:

CHARLES HAY, C. H. D.

Nov. 19th Clarksburg

WILLIAM LOWTHER TO JAMES WOOD, LIEUTENANT-GOVERNOR.

In performance of your orders, Capt. Bogard with his detachment took his post at Newbury, 12 miles below little Kanawha, and as he informs me the commissary failing to supply provisions, was under the disagreeable necessity of leaving it; he returned a few days since. Ensign Jenkins remains at Niel's station, Lieut. Morgan at the mouth of Fishing Creek, and Lieut. Evans was posted at Fish Creek, but, as I understand, has lately left it and discharged his men. Ensign Hedge continues at the mouth of Grave Creek, Capt. McCullock at the mouth of Short Creek, and Lieut. Wells opposite the Mingo Bottom.

The savages have made no incursions on our frontiers since my last. I yesterday was informed by Mr. Williams, a Gentleman of reputation, that a few days ago he saw Lieut. Morgan on his return from an incursion into the Indian country.

He with 30 men, near 200 miles up the Muskingum, destroyed a small

Town, took one scalp, and brought in 5 prisoners, viz: 3 squaws and 2 children. 1794. Nov. 19th

I purpose in the course of a few days to take a Tour around the different posts, and if anything worthy of communication occurs, you shall have it by the first opportunity.

I have, &c.

JAMES INNES TO THE GOVERNOR. Nov. 20th

When I left Virginia I did myself the honor to inform you that it was my intention to go immediately to Philadelphia, from whence should I proceed to the state of Kentucky in pursuance of the object which had produced several letters between Governor Lee and myself in the months of September and October last. I should forthwith announce the same to the Executive.

I have now to inform you that I have proceeded this far on my journey to Kentucky. The subject of my absence from the duties of my office having been settled by the correspondence above alluded to, I shall take the liberty of stating the reasons which have induced me to suppose that my present undertaking does not bring me within either the letter or meaning of the law, which Governor Lee referred me to in his first communication on this subject.

I hold no office of profit under the United States, nor am I mediately or immediately concerned in the administration of their government, but am merely the bearer of certain communications from the Executive of the union to the Executive of Kentucky. I receive no appropriated salary from the General Government, nor do I hold any commission under it. No nomination respecting me has been made by the President to the Senate and approved by that body. In fact I possess neither perpetuity of emolument, duration of employment, nor any one attribute which can constitute me an officer, or even the appendage to any office belonging to any department of the Government of the United States.

This being a true history of my present situation, I know not how I can be considered as having contravened the Act of Assembly which inhibits the union of offices established by the State of Virginia and the Government of the United States, under the latter of which I bear not the semblance of one official qualification. I act under a conviction flowing from the source of my own judgment. That my present pursuit is a violation of no law of my native country, in affectionate attachment to which I trust I am second to none of her citizens.

If, however, my construction of this Act of Assembly be deemed unsound, and shall become the subject of public investigation, I must pray you, Sir, that you cause this, together with all the preceding communications which have been reciprocally made between the Executive and

1794. Nov. 20th myself, relating to the object of my present journey to Kentucky, to be submitted to the Legislature, that an inquiry, if one shall be deemed necessary, may be had upon my conduct before the proper tribunal.

I have the honor to remain with sentiments of perfect consideration and respect,

Yours, &c.

In the House of Senators,
Thursday, November 20th, 1794.

The House proceeded according to the order of the day by joint ballot with the House of Delegates, to the choice of Governor or Chief Magistrate of this Commonwealth for one year from the first day of December next; and the members having prepared tickets with the names of the persons voted for, and deposited the same in the ballot-boxes, Mr. B. Temple, Mr. Meade, Mr. Chinn, Mr. Bassett, and Mr. Maund were nominated a committee to meet a committee from the House of Delegates in the conference chamber, and jointly with them to examine the ballot boxes and report to the House on whom the majority of votes should fall. The committee then withdrew and after some time returned into the House, and Mr. Temple reported that the committee had according to order met a committee from the House of Delegates and jointly with them examined the ballot-boxes and found a majority of votes in favor of Robert Brooke, Esquire.

Teste:
H. BROOKE, C. S.

August 14th, 1794.

Governor Lee,

Sir:

By last night's mail it was notified to me by the Secretary of State that the President was pleased to depute me to go on a mission of great national import on the part of the United States to the State of Kentucky.

I feel an anxitude arising from motives I trust of a laudable nature to undertake the discharge of so honorable a public Function. As the servant, however, of this Commonwealth, I have postponed a decided answer to Mr. Secretary Randolph's communication until I shall learn how far such an undertaking might meet with the assent of the Government of this State. During my absence, which will not I presume be a very lengthy one, I will take care to be properly represented in all my official Departments, so that the business of the public shall meet with no delay or obstruction.

I must request your Excellency immediately to submit this letter to the Honorable Board over which you preside, with a request that they would honor me with a speedy decision on the subject of it. 1794. Nov. 20th

With proper sentiments of respect,

I have, &c.,

JAMES INNES.

The Honorable James Wood, Lieutenant-Governor of Virginia:

Sir:

I apprized the Executive early in August last of the call I had received from the President to undertake a mission to the State of Kentucky. Their answer to my letter of that date having granted to me the permission I requested under the limitation therein expressed, I now take the liberty to inform you that I shall set out for Philadelphia on to-morrow, and that should I proceed from thence to undertake the agency proposed to me by the Executive of the United States I shall duly inform you of the same.

In my absence General Marshall has had the goodness to undertake the discharge of my official duties.

I have, &c.

Oct. 3d, 1794. JAS. INNES.

In the House of Delegates,
December 18th, 1794.

A member in his place having informed the house that he has reason to believe that James Innes, Esq., the Attorney-General of this Commonwealth, had accepted a Lucrative Office under the General Government whereby he is disqualified to hold any office under the Government of this State.

Resolved, That the Executive be requested to lay before this house all Information which they may possess on the subject matter aforesaid.

Teste:

CHARLES HAY, C. H. D.

MATTHEW PAGE TO JAMES WOOD, LIEUTENANT-GOVERNOR. Nov. 21st

I have the Honor to transmit enclosed* to you an extract from the proceedings of the court-martial on the tryal of Colo. Wells, containing their attendance and mileage as stated on the minutes of the court-martial, which would have been sent over long since, but considerable indisposition has for some time past rendered me incapable of attending to business. Hanover Town

I have, &c.

*Enclosure not found.

1794. THOMAS NEWTON, JR., TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Nov. 21st Norfolk

I received your favour, and am of opinion that the lookout boat may be discharged with safety, and shall accordingly do it in a few days. The proclamation as to the West Indies I judge best to be kept in force, and if any suspicious vessel arrives, she may be compelled to lie until her case is known. This can be done without expence of a boat, and the port will compel a compliance.

I am much obliged to you for the warrants given to F. Newton. I will send up an account of the remaining charges in a few days, hire of the boat, and some necessary printing to give the pilot which will be continued to them.

I am, &c.

Nov. 21st In council

J. H. STONE TO THE GOVERNOR.

We have received information from the Justices of Dorchester county court, on the Eastern Shore of this State, that a free mulatto woman and her two children, have been unlawfully transported out of the State by a certain William Goldsmith (alias William Smith) and Elijah Devoll, and you will perceive by the copies of the Proceedings which are herewith enclosed, that they have been indicted for that offence in the court of that county.

Our information states that those men have gone to the state of Virginia, and are now in Jail at Petersburg on account of this Transaction. Being extremely desirous that these offenders should be brought to trial, we request that your Excellency will, with all convenient dispatch, direct that the above-mentioned William Goldsmith (alias William Smith) and Elijah Devoll be delivered up for the purpose of being removed to this State, to be tried on the Indictments found against them agreeably to the provision contained in the second section of the fourth Article of the Constitution of the United States.

We have, &c.

Nov. 22d Mathews

DUDLEY CARY TO ———.

I received your letter of the 5th instant on the morning of the 18th, and immediately went down to Queen's Creek where the vessel mentioned in your letter was said to be fitting, but she was finshed and gone about four days previous to the receipt of your letter, but on the strictest inquiry among the neighbors and carpenters that repaired her, I have not the smallest reason to suppose she was intended for a priva-

teer, as she is not fitted to carry guns, nor, as they informed me, had she one when she left the river; nor more hands than were necessary to carry her to Urbanna on the Rappahannock, where I am informed she still lies. 1794. Nov. 22d

Be assured, Sir, that I will pay the strictest attention to all the vessels equipping within the Harbours of this county, and should I have reason to suppose any of them fitting for the purpose of privateering, will take the necessary steps to detain them till I can inform the Executive of such fitting.

I have, &c.

HENRY LEE TO THE GOVERNOR. Nov. 26th

As the enclosed letter cannot reach Richmond before my successor (whoever he may be) must have entered on the duties of his office, I have thought proper to address it to the Governor of Virginia. Pittsburg

I beg leave to ask his attention to the same, and to present to him my best wishes for a happy and honorable administration.

With, &c.

WILLIAM DAVIES TO LIEUTENANT-GOVERNOR WOOD. Nov. 26th

Your favor of the 18th I now have the honor to receive. I beg my acknowledgments may be presented to the Executive for their attention to the justness of my claim, which tho' late is still very acceptable. I am not indifferent to the approbation of government. I endeavored faithfully to discharge my duty in the business entrusted to me, and from a consciousness of having deserved well of my country, have indulged the hope that ere this, I should have been gratified with the honorable testimony of the Executive, to the success and merits of my services. Broadway

Inclosed I send you an additional report respecting my present agency, and with the greatest respect have, &c.

Westmoreland County, sct.: Nov. 26th

Inquisition indented taken in the county aforesaid, this 28th November, 1794, before me, George Garner, Gent., coroner of said county, upon the view of the body of Capt. John Rochester, late sheriff of the county aforesaid, found on the main road leading from Westmoreland Courthouse to Nominy, and there lying dead, upon the oaths of John Peake, Hugh Quinlan, John Porter, Christopher Jackson, Rich-

1794. Nov. 26th

ard Lowe, William Jeffriss, John McClanahan, William H. Parker, Daniel Sanford, Seth Starr, Edward Stone, and Charles Sanford, good and lawful men of the parish of Cople and county aforesaid, who being charged and sworn to enquire how and in what manner the said John Rochester, Gentleman, came by his death, upon their oaths do say that he was accidentally killed by a fall from his horse. The Jurors aforesaid in testimony whereof, as well as I the said coroner as the Jurors aforesaid, to this inquisition have severally put our hands and seals this day and year first above mentioned.

JAMES BLAND, C. W. C.

Nov. 28th

JOHN HOPKINS TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Richmond

I am instructed by the Commissioners of the Federal buildings, to request a further payment from the State on the President's draft for the 3rd instalment of the State's donation to said Buildings.

The state of the Treasury from the enclosed report in some measure justifys this application. I have, therefore, to request an order for the sum of six Thousand dollars, which, with the sum lately paid, will make up one-fourth of the President's draft.

I have, &c.

Twenty-four thousand Dollars in the Treasury.

WILLIAM BERKELEY, C. T.

28th Nov., 1794.

Nov. 28th

SAMUEL COLEMAN TO MR. DAWSON.

Council office

In pursuance of your direction I have seperated the claims for western services rendered in 1794, from those rendered in 1793, and, as instructed, beg leave to report upon the latter as follows:

No. 1, Is a pay-roll of Capt. William Clendenin forwarded to the Executive about the first of September last, in conformity to a muster-roll on which I reported the 23rd Dec., 1793, the original being soon after sent to the General Government with the other claims then reported on. A copy retained by the auditor is now in this office. This muster was made on the 25th of November, and four scouts in the Pay-roll are not in the muster-roll. Pay is claimed under Captain Clendenin from the 25th of July, the day on which he took command of the company, to the 1st of December, 1793. The whole company consists of the Commissioned Officers, four sergeants, 4 corporals, 4 Scouts, a Drummer and Fifer and 67 privates.

1794. Nov. 28th

No. 2, is a claim of Thomas Jones and Philip Hall for services rendered as scouts in Bath and Greenbrier, 123 days in 1793.

This voucher declares this service to have been performed by order of Col. Steele, to whom I beg leave to refer it.

No. 3, contains a pay-abstract for Captain Lowther as Commandant of the volunteer militia raised for the District of Monongalia, from 2nd of Dec., 1792, to the 1st of Dec., 1793, including his rations, proven only by his own oath. In this number will also be found muster and pay-rolls of eight scouts under Captain Louther, most of whom claim pay from the 14th of May to the 1st of December. The muster of six of these men makes no mention of the time they began to serve, nor is there any proof of it on the Pay-roll—of course the papers are not duly authenticated. The other two are said to be mustered by Ensign Jonathan Coburn on the 23rd of June, 1793, when their services commenced, and on the 1st of Dec., when they were discharged; of this Jonathan Coburn makes oath. One of these scouts in the muster-roll is called Joshua Fleeharty; in the Pay-roll he is called John Fleharty.

No. 4, A pay and muster-Roll of Ensign Levi Morgan's Detachment part of Capt. McCullock's Co., consisting of the said Morgan, 2 Sergeants, 2 Corporals, and 30 privates, proving their right to pay from the 6th of Oct'r, 1793, to the 6th of Jan'y, 1794.

N. B.—The Pay of this Detachment to the 6th of October is included in the pay-roll of Capt. McCullock's, which has been forwarded to the General Government.

In this number will be included a pay abstract of Levi Morgan's eight scouts, claiming pay from the 19th January, 1793, 117 days, without any proof of service being performed; also a ration account, claiming 186 rations for himself from 12th of January until 16th of April, 1793, and also from the second day of January, 1794, to the 6th of the said month for himself and 34 men, 180 rations; no proof of these rations being issued but Mr. Morgan's certificate.

No. 5 is muster and pay-rolls and ration account of Ensign Jonathan Coburn's detachment of Captain Bogard's company, consisting of the ensign, a sergeant, corporal and 31 privates, claiming pay from some time in the month of May to the 2d of December, 1793. These are the only papers which I have yet examined that are duly authenticated.

No. 6, a pay abstract of Ensign Jenkins' detachment of Captain Lowther's company, claiming pay from the 20th of October—two months and twelve days—consisting of the ensign, two sergeants, two corporals and twenty privates; no muster rolls nor any proof of these services being rendered.

No. 7 is a claim of Arch'd Woods for 4,400 rations, furnished Lieutenant Mills' detachment in 1793. A copy of the muster roll of the said detachment is now in this office. This paper is duly authenticated, and does not appear to have been included in the claims which have been already paid, amounting to $2,088 70 cents.

1794. Nov. 28th

No. 8 is a ration account of Nathan Springer for rations furnished Lieutenant Evans' detachment in 1793, not otherwise supported than by the receipt of Lieutenant Evans. The pay and muster rolls of this detachment have been before presented and forwarded to the General Government.

No. 9 is a pay and muster roll of a Francis Baldwin, who was omitted in the muster and pay roll of Ensign Jenkins' detachment of Captain Lowther's company, which is proven by an examination of the said rolls. The said Baldwin appears to have been mentioned on the 12th day of June, and his services are certified by Jenkins to have commenced on the 20th of May and ended the 31st of December, 1793. He was not mustered on his discharge.

No. 10 is a muster roll of part of Captain Hawkins' company, by Robert Sayers, on the commencement of their service in 1793. When first presented it was defective, Mr. Sayres not having been sworn to the muster. The musters of the other parts of the company and the pay roll, complete, was forwarded to the General Government.

No. 11. The sense of the Board, expressed on the back of this paper, will be complied with, as Ensign Kelley will draw pay under Captain Caperton until the 25th July, when Vanbibber took place under Clendinen.

No. 12 contains claims of James Johnson and Robert Butcher for services as spies for 3 months and 10 days, by order of Captain Lewis, previous to the 14th of June, 1793, when they were discharged by Ensign Colvill, and their discharge attested by William Neil, muster master for Andrew Lewis, captain commandant on the frontier. During the greater part of the time, to-wit: from the 16th of April to the first of June, which these two men were in service, Captain Crockett commanded a patrol of twelve scouts on the Southwestern frontier. These two men are not included in that patrol, and do not therefore appear to have been authorized by the Executive to serve at all. On the consideration of this claim by the Board, the delegate from Lee county wishes to give some information.

No. 13 is a claim of Lieutenant Hall and nine privates of the Montgomery Militia, who, with a party from Greenbrier (who have already been paid), pursued a party of Indians in the months of March and April, 1793. The service was meritorious, and pay is claimed from the 25th of March to the 4th of April, 1793.

These papers generally are very defective in point of authentication, but the claims they exhibit are authorized by the Executive, except No. 12.

The enclosed papers, put into my hands by the Honorable Mr. Dawson, are a muster and pay roll of a single individual, Francis Baldwin, who is said to have served in Ensign Bartholomew Jenkins' detachment of Captain Lowther's company from the 20th day of May, 1793, until the 31st day of December following.

1794. Nov. 28th

Upon examining a copy of the muster roll of this detachment (retained in this office) by which it appears that their services commenced the 16th day of May, 1793, I do not find the name of Francis Baldwin inserted therein. The original pay roll has been forwarded to the General Government for settlement corresponding with the said copy of muster roll.

A certificate of Lieutenant Evans of the number of rations furnished his detachment in 1793. It does not appear that this claim has before been presented. A copy of the muster roll is in this office.

A pay abstract of Ensign Jenkins' detachment from the 20th of October, 1793, to the end of the year, still leaving out Francis Baldwin. No muster roll accompanied this pay abstract.

And a muster and pay roll of Lieutenant Evans' detachment of Captain Lowther's company, for services in 1794. It is humbly submitted whether this had not better lie over until the whole are brought forward and one general report directed.

SAM'L COLEMAN TO THE LIEUTENANT-GOVERNOR. Nov. 28th

Council office

In pursuance of your direction, I have separated the claims for western services rendered in 1794 from those rendered in 1793, and, as instructed, beg leave to report upon the latter as follows:

No. 1 is a pay roll of Captain William Clendenin, forwarded to the Executive about the first of September last, in conformity to a muster roll on which I reported on the 23d of December, 1793, except that four scouts in the pay roll were not in the muster roll. The original muster roll has been forwarded to the General Government, and the whole company consists of the commissioned officers, 4 sergeants, 4 corporals, 4 scouts, a drummer and fifer, and 67 privates. They claim pay from the 25th of July to the 1st of December, 1793. No muster at the commencement of the service has been forwarded.

No. 2 is a claim of Thomas Jones and Phillip Hall for services rendered as scouts in Bath and Greenbrier—123 days in 1793. This voucher declares this service to have been performed by order of Colonel Steele, to whom I beg leave to refer it.

No 3 contains a pay abstract for Capt Lowther as Commandant of the Volunteer Militia, raised for the defence of the District of Monongalia from the 2d of Dec., 1792, to the 1st of Dec., 1793, including his rations—proven only by his own oaths. In this number will also be found muster and pay rolls of eight Scouts under Capt. Lowther, most of whom claim pay from the 14th of May to the 1st of December, 1793. The muster of six of these men makes no mention of the commencement of their service, nor is there any proof of it on the pay roll; of course, the claims are not duly authenticated. The other two are said to be

1794. Nov. 28th

mustered by Ensign Jonathan Coburn on the 23d of June, 1793, when their services commenced, and on the first of December following when they were discharged. Of this Jonathan Coburn makes oath. One of these Scouts in the muster roll is called Joshua Fleeharty, in the Pay roll he is called John Fleharty.

No. 4 contains a pay and muster roll of Ensign Levi Morgan's Detachment from Captain McCullock's Company, consisting of the said Ensign, 2 Sergeants, 2 Corporals and 30 Privates who claim pay from the 6th of October, 1793, to the 6th of January, 1794. No muster of this Detachment, when their services commenced as a Detachment has been forwarded, but they were mustered as part of Capt. McCullock's Company. In this number is included a pay abstract of 8 scouts under Levi Morgan, claiming pay from the 19th of January, 1793, 117 days, without any proof of the service being performed; also a ration account claiming pay for 186 rations, to which Ensign Morgan was entitled, from the 12th of January until the 14th of April, 1793, and also an account claiming pay for 180 Rations furnished himself and 34 men from the 2d to the 6th of January, 1794. There is no proof of these rations being furnished, but Mr. Morgan's own certificate.

No. 5 contains muster rolls, pay roll and ration account of Ensign Jonathan Coburn's Detachment from Capt. Bogard's Company, consisting of the Ensign, a Sergeant, a Corporal and 31 privates, claiming pay from their enlistment in the month of May to the 2d of December, 1793. These are the only papers which I have yet examined that are duly authenticated.

No. 6 is a pay abstract of Ensign Jenkins' Detachment from Capt. Lowther's Company consisting of the Ensign, 2 Sergeants, 2 Corporals, & 20 privates, claiming pay from the 20th of October, 2 months and 12 days. No muster rolls nor any other proof of these services are forwarded.

No. 7 is a claim of Arch'd Woods for 4,400 Rations furnished Lieutenant Wells' Detachment from Capt. Bogard's Company in 1793. A copy of the muster roll of this Detachment is in this office, which is the only check upon the ration account. It is otherwise duly authenticated and does not appear to have been included in Mr. Woods' account, which has been already paid, and which amounted to 2,088 Dollars & 70 cents.

No. 8 is a claim of Nathan Springer for Rations furnished Lieutenant Evans's detachment from Capt. Lowther's Company in 1793. This claim may be checked by a copy of the muster roll of this Detachment which is in the Office, but it otherwise wants authenticity, being supported only by the receipt of Lt. Evans.

No. 9 is a muster and pay roll of an individual, Francis Baldwin, who was omitted in the muster and pay roll of Ensign Jenkins' Detachment from Capt. Lowther's Company. He was mustered on the 12th of June, and his services are said by Ensign Jenkins to commence the 20th of

May, and to end the 31st of December, 1793. He was not mustered on his discharge. 1794. Nov. 28th

No 10 is a muster roll of part of Capt. Hawkins' Company. The muster was made by Robert Sayers on the commencement of their service in 1793. When first presented, this muster roll was defective. Mr. Sayers not having been sworn to the muster—it is now authentic. The muster rolls of the other party of this company and a pay roll for the whole, have been forwarded to the General Government.

No. 11 the sense of the Board as endorsed on the back of this paper, will be complied with, as Ensign Kelly will draw pay under Capt. Caperton from the commencement of his service until the 25th of July, 1793. At that time the services of Ensign Vanbibber commenced under Captain Clendenin.

No. 12 contains claims of James Johnson & Robert Butcher, who by order of Captain Lewis were employed as Scouts in Lee County for 3 months & 10 day's provisions on the 14th of June, 1793, when they were discharged by Ensign Colville, and their discharge attested by William Niel, Muster Master, for Andrew Lewis, Captain Commandant on the Frontier. During the greater part of the time (to-wit, from the 16th of April to the 1st of June), which these two men were in service, Captain Crocket commanded a patrol of twelve Scouts on the south western Frontier, which I believe were all that the Executive intended should be employed.

These are too extraordinary, and on the consideration of their claim by the Board, one of the Delegates from the county of Lee wishes to adduce some verbal information.

No. 13 is a claim of Lieutenant Hall and 9 privates of the Montgomery Militia, who with a party from Greenbrier, which has already been paid, persued a party of hostile Indians in the month's of March and April, 1793. Their service was meritorious and they claim pay and rations from the 25th of March to the 4th of April, 1793.

The papers mentioned in the foregoing report are generally very defective in point of authentication, but except Nos. 12 and 13, the claims they exhibit are authorized by the Executive. No. 13 is a just claim under the invasion law and from the merit of the service, I humbly presume ought to be paid as are those of the volunteer Militia.

I have, &c.

Opinion of General J. Marshall. Nov. 28th

It is stated that Mr. White was commissioned as Sheriff on the 13th of August, 1794.

That the preceeding Sheriff continues in office till the 6th of Novem-

1794. Nov. 28th

ber so that the commission expresses that the power of Mr. White is to commence on the 6th of November.

Several accidents prevented his giving bond and security according to law within two months after the date of his commission, but in the third month he appeared in Court and offered to comply with the law.

It is enquired whether under these circumstances the court ought to have received the bond, or whether the Executive ought to proceed to make another appointment.

The case of Mr. White is a hard one, but the law seems to leave no discretion with the Executive to judge of those circumstances which shall dispence with a compliance with the law. The law admits of no dispensation, but positively requires the execution of the bond within a limited time, or directs a new commission to issue. The circumstances then do not alter the case, but the sole question seems to me to be whether the date of the commission or the commencement of the commission in effect shall be considered as the appointment. I think the date of the commission must be considered as the appointment because everything to be performed by the Executive is then completed.

J. MARSHALL.

I certify that Elisha White was appointed sheriff of Hanover the thirteenth of August last.

A. BLAIR, C. C., Oct. 17th, 1794.

Hanover, to-wit:

I certify to the Executive of Virginia that Elisha White has not executed bonds with security as required by law of persons commissioned as Sheriffs.

WILLIAM POLLARD, C. H. C.
Oct. 18th, 1794.

Nov. 30th

THOMAS NEWTON, JR., TO THE GOVERNOR.

Norfolk

This day information was made unto me that an officer of a French privateer had inlisted 16 men and was carrying them off. I immediately inquired into the case, and went to the boat where it was said they were on board and stopped her, examined the people who all informed — they were not citizens of these states. Most of them appeared to be Frenchmen. A Captain Miller of the Brig Sisiphone, an American vessel, had shipped some men and were on board the same vessel, which I suppose gave rise to the information; however, on a further information, I found one, John Burke, a citizen had enlisted. I demanded him and he was given up and brot. on shore, and then entered with Capt. Miller to repay the bounty he had rece'd from the Capt. of the privateer,

16 Dollars. This privateer, I was informed, was the Carmagnole, Capt. Marien, one of those proscribed (I suppose), fitted out of Delaware. Please refer to your letter in Council, 22d August, 1793. 1794. Nov. 30th

I also enclose you a deposition of Thomas Butler, a pilot, relative to the capture of a French prize taken near our Capes. I have received several letters from a David Rayborn, on b'd the British Sloop of War Lynx, who says he is an American citizen pressed at sea out of a Danish ship bound to Boston. I applied to the British Consul for this man & another that was on board the Cleopatra. The latter was delivered without delay, but the Consul informed me that Raybourn had entered on board the Lynx and received the bounty, since which I have rec'd another letter from Raybourn persisting he was pressed, which he also told Butler, the pilot who says he is a native of Carolina. I shall again write to the British Consul about him.

I am, &c.,

Henrico County, to-wit:

I do hereby certifie that I have this day administered to his Ex'y Robert Brooke the oaths required by law to be taken by a Governor or Chief Magistrate of the Commonwealth, and also the oath required by an Act of Congress.

Given under my hand the first day of December, 1794.

J. PENDLETON.

William Morris to the Governor.

Dec. 1st

Richmond

Inclosed I have sent your Excellency and the Honorable Board a letter of Mr. Allyn Pryor, which was directed to Mr. John Raynolds, and came into my hands broken open. I am induced to do this as I have been creditably informed that said Pryor has made complaint against me therefor, and also that I had refused to suffer my mill to grind for him.

True it is that I sayed so, but not until he supplanted (In taking the Contractor's place) Mr. John Vanbibber, to whom he had promised not to interfere, as he, the said Vanbibber had gone to the expence of providing everything necessary. However, your Excellency will discover by an affidavit herewith inclosed, that had I been even so disposed to oblige Mr. Pryor, it was not in my power.

On seeing Mr. Pryor's Letter I plainly discovered that, poor as the soldier's ration was, that his principle desire was to speculate thereon, wherefore I sent copies thereof to the officers commanding at the different posts, in order that he might not avail himself of those advantages. You will also find by another affidavit that sundry soldiers have not been hitherto Furnished, but certain I am that he will not have it in his

1794. Dec. 1st power to obtain an abstract therefor, unless he gives approved security to make good said deficiency at the contract price.

I would not wish your Excellency nor the Honorable members of Council to understand that I mean this as a complaint against Mr. Pryor, having no other intension or desire other than that of justifying myself to your Excellency.

I have, &c.

Dec. 1st

Petition to the Governor.

The Petition of James Dabney, late Sheriff of Louisa County, praying the remission of a fine which had been imposed on him for failing to return an execution; and also for the balance of Revenue taxes collected by the said Dabney in the county of Louisa, for the year 1791; also 114 pounds, 14 shillings, and 11 pence, for damages recovered against said Dabney.

Virginia, to-wit:

At a general court held at the capitol in Richmond the 13th day of November, 1794, judgment was rendered against James Dabney, sheriff of Louisa county, for failing to return the execution within lawful time against Wm. Phillips, sheriff of Louisa county, for revenue taxes for year 1791.

Dec. 2d

In the House of Delegates,
Dec. 2nd, 1794.

The House according to the order of the day, proceeded by joint ballot with the Senate to the choice of a Judge of the Court of Appeals, in the room of Henry Tazewell, Esq'r., who hath resigned; and the members having prepared tickets with the names of the persons to be ballotted for, and deposited the same in the ballot-boxes, Mr. Lee, Mr. Boyer (of Rockbridge), Mr. Cheatham, Mr. Hatcher, Mr. Hancock, Mr. Penn, Mr. Bentley, Mr. Baytop, Mr. Hoomes, Mr. Willis, Mr. Braxton, and Mr. Andrews, were nominated a committee to meet a committee from the Senate in the conference chamber, and jointly with them to examine the ballots, and report to the House on whom the majority of votes should fall.

The committee then withdrew, and after some time returned into the House, and Mr. Lee reported that the committee had according to order met a committee from the Senate in the conference chamber, and jointly with them had examined the ballots, and had found a majority of votes in favor of Spencer Roane, Esq'r.

Teste:

CHARLES HAY, C. H. D.

folk Borough, set.: 1794.

Personally appeared before me. Thos. Newton, Jr., Alderman for Dec. 2d
y' aforesaid, Thos. Butler, pilot, and being sworn upon the holy
ngelist of Almighty God, deposeth and saith that on Thursday, the
Nov'r last, he being out of the Capes of Virginia looking for ves
discovered a ship ahead which he made for and hailed to know
what whence she came: whereupon he boarded her. He was then in
ied by the prize master that the said ship was a Brittish ship (he
ks) called the Pamela, prize to the Hawke French privateer; that
he deponent, took charge of the s'd ship as pilot, and was steering
r Cape Henry, which was then in sight and about six leagues off;
when the ship approached to the distance of about four leagues, he
rved the Brittish Frigate Cleopatra coming out of Lynhaven Bay
ding for the prize; that when the French people perceived the
tish Frigate nearing them, they put as many goods as they could on
of the pilot boat and left the ship in charge of this deponent and
her man, who immediately altered the ship's course and stood for
th's Island; that in about one hour and a half thereafter, the Frigate
e along-side and brought her too—she being then between Cape
ry and Cape Charles within three leagues of Smith's Island, which
then the nearest land, bearing N. in 6½ fathom water; that the said
was immediately boarded by part of the Cleopatra crew, who car
her off together with the man (an American citizen) who had been
on board with this deponent, but that the deponent was put on
d the Cleopatra and then kept until Saturday. And further this
nent saith not.

his
THOS. M BUTLER.
mark.

worn to before me this 2nd day of Dec'r, 1794.

THOS. NEWTON, Jr.

P. GOODWYN TO THE GOVERNOR. [illegible]

conformably to the request of your predecessor, made by a letter Richmond
ring date August 19th. 1794, I have now to inform you of my pro
s in collecting the arrearages due the Commonwealth within the
eenth Brigade.

hree executions in behalf of the Commonwealth have come to my
ds, one against General Joseph Jones of Dinwiddie, the second
inst Robert Mabry of Southampton, and the third against Colonel
o. By virtue of these executions I have actually made the sum of
: thousand one hundred and thirty-two dollars and 67 cents and a re

1794. Dec. 2d

ference to the executions themselves as returned to the General Court office will more minutely show what have been my proceedings under them. From Brunswick county seven hundred and five dollars and 35 cents have been paid into the treasury, which, with four thousand one hundred and fifty-two dollars and 67 cents, collected as aforesaid, also paid into treasury, make four thousand eight hundred and fifty-eight dollars and two cents, the sum total collected in the Fifteenth Brigade.

As yet I have been charged with no other executions but those already mentioned, and from the tardiness with which the suits now pending against delinquent sheriffs and their securities within my district are prosecuted, there is no immediate prospect of making farther collections.

Nothing could give me more pleasure than to complete the collection of those debts which you have been pleased to confide to my care. One circumstance, however, induces a wish that I had never undertaken this business. The General Assembly have determined that this is a lucrative office within the meaning of our Constitution, and that by holding it I am disqualified from serving as a representative for the county for which I have been elected. To me there could be nothing more distressing than this determination, however just it may be, and had I been of opinion that such could have been the result of accepting the office, I certainly should not have solicited it. I would forego almost any advantage rather than relinquish the idea of serving those who have done me the honor of choosing me their representative, and for that reason only must hope I shall be permitted to resign my office as agent, and especially I shall flatter myself with this expectation as the Commonwealth will suffer no injury from my resignation, because, from the enclosed letter, it will appear that the office will not remain vacant for want of a successor.

I beg leave to add that the gentleman who will be a candidate in the event of your accepting my resignation, has transacted the chief of the business which has been done since the appointment has been conferred on me.

I am, &c.

The payments mentioned in this letter are truly stated.

J. PENDLETON.

Auditor's office, 2nd December, '94.

Auditor recommends Thomas Vaughan as collector of arrears of taxes in case of resignation of Mr. Goodwyn.

Dinwiddie, Nov. 25th, 1794.

Joseph Goodwine solicits appointment as agent for the collection of arrears of taxes in the 15th Brigade district in lieu of present agent who is expected to resign the office.

In the House of Senators. 1794.

The House proceeded according to the order of the day by joint ballot with the House of Delegates to the choice of a Judge of the court of appeals, in the room of Henry Tazewell, Esq., who hath resigned, and the members having prepared tickets with the names of the persons balloted for, and deposited the same in the ballot boxes, Mr. Anderson, Mr. Benjamin Temple, Mr. Chinn, Mr. McCraw, and Mr. Peyton were nominated a Committee to meet a Committee from the House of Delegates in the conference chamber, and jointly with them to examine the ballot boxes and report to the House on whom the majority of votes should fall. Dec. 2d

The committee then withdrew, and after some time returned into the House, and Mr. Anderson reported that the Committee had according to order met a Committee from the House of Delegates in the Conference Chamber, and jointly with them examined the ballot boxes and found a majority of votes in favor of Spencer Roane, Esquire.

Teste:

H. BROOKE, C. S.

GEORGE CLENDENIN AND WILLIAM MORRIS TO THE GOVERNOR. Dec. 2d

In our representation of the state of our Frontiers we made known to the Executive the last session of Assembly, that we conceived the Guards allowed for the defence of Greenbrier and Kanawha were more than necessary. That one Company complete, if well distributed, was equal to the Task. Richmond

On experience, it appears that this opinion of ours was well grounded. However, we suppose thro' the great zeal of the Executive to afford the most ample protection, more men and officers were continued. We have, therefore, nearly to offer to the consideration of your Excellency and the Honorable Board our Former opinion. Impressed with the desire that at this Important period, no unnecessary expence may accrue to Union. We have further to urge or to mention, that since the success of our arms in the Westward, we have not experienced the same Hostile disposition in the Indians—therefore, we conceive that little or no winter establishment is necessary.

Under these impressions, we submit our opinions to your Honorable Board, convinced that your determination will tend to the public welfare.

We have, &c.

1794. SAMUEL COLEMAN TO THE GOVERNOR.

Dec. 24 Council office. In pursuance of a direction, which I have received from the Executive, I beg leave to report to you for the information of the Board, that the enclosed accounts for ammunition procured by Captain Hugh Caperton for the use of his Company of Volunteer Militia, one amounting to twenty-three pounds and four shillings, and another amounting to six pounds, eighteen shillings and six pence appear to be supported by vouchers. The Auditor of Public Accounts will be the proper judge of their validity.

That upon a thorough examination of the Auditor's Books it appears that the following warrants have issued from the Auditor's Office for ammunition for the use of the said Company, viz.:

1792, Oct.	19th	to William Cook for Powder - - -	£15.16.6
	23rd	Hugh Caperton for Lead and Powder -	25.00.0
1893, Feb.	23rd	*William Morris & John Jones for Powder and Lead - - - - -	37.02.0
July	6th	*Allen Prior for Powder - - -	4.04.0
Aug	23rd	Thomas Edgar for Lead - - -	13.08.6
			£95.11.0
			$318 50
1793, Dec.	24th,	Allen Prior for Powder and Lead - -	112 50
	28th,	John Reynolds for Powder and Lead - -	130 83
1794, May	31st,	Allen Prior for Lead - - - -	24 99
Aug.	5th,	John Stewart for Powder - - -	72 50
			$659 32

It is somewhat doubtful whether the warrants marked thus * were not for Capt. Morris' Company of Militia.

Papers Marked No. 2, are a muster roll made in pursuance of a review of Captain Caperton's Company by Colonel Steele, a pay roll in conformity thereto, claiming pay from the date of enlistment of the Company, in pursuance of the following order of Council on the 24th of December, 1792, & 12th of November, 1792.

It is advised that two companies with four scouts to each be considered in service as soon as the men shall be raised and mustered. One under the command of Captain Lewis and the other under the command of Capt. Caperton.

The usual allowance of powder and Flints to be furnished from the Point of Fork and Lead from the mines.

This pay roll is defective in leaving a blank for the time to which pay is claimed and in having no signature. These defects may be remedied by Captain Caperton who is here.

Accompanying these papers will also be found a ration abstract for provisions furnished the said company from their enlistments respectively to a certain amount of rations until the 26th of February, 1793, when William Morris began to supply the Company. 1794. Dec. 3d

I beg leave to refer to Col. Steele for further information on these papers, and have the Honor, &c.

Dec. 3, 1794. Purchased of the Hon'ble John Dawson and Hardin Burnley, Esqrs., 1 mace, weighing one Hundred and one ounces at 6s. p'r oz.

WM. & GEO. RICHARDSON.

Auditor's Office, 3d Dec. 1794.

Received of the Hon'ble Jno. Dawson, &c., &c., the Treasurer's receipt for one hundred and one dollars, &c., on account of the sale of the Mace sold under a resolution of the present session of Assembly.

S. SHEPARD.

DAVID SAUNDERS TO THE EXECUTIVE. Dec. 4th

Charles Guatkin, Coroner of Bedford, failure to return an execution in his hands in due time. Causes therefor. Richmond

Certificate of Auditor of payment of principal, interest, and costs on same.

Judgment for fine of sixty-one dollars 16 cents against Charles Guatkin.

Certificate of S. Shepard of payment by Henry Buford, sheriff of Bedford of principal, interest, and cost of judgment against him.

Fine against Charles Guatkin, coroner Bedford, remitted.

Congress of the United States, Dec. 4th
In the House of Representatives,
Tuesday, the 4th of December, 1794.

Resolved unanimously that the thanks of the House be given to the gallant officers and privates of the Militia of the States of New Jersey, Pennsylvania, Maryland, and Virginia, who, on the late call of the President, rallied round the Standard of the laws, and in the prompt and severe services which they encountered, bore the most illustrious testimony to the value of the Constitution and the blessings of internal peace and order, and that the President be requested to communicate

1794. the above vote of thanks in such manner as he may judge most accept-
Dec. 4th able to the patriotic Citizens who are its objects.

Attest:

Signed: JOHN BECKLEY, Clerk.
True copy JOHN STAGG, Jr., Dep. Clk.

Dec. 4th

H. KNOX TO THE GOVERNOR.

War Department. The President of the United States has instructed me to transmit to your Excellency the enclosed resolve, containing the unanimous thanks of the House of Representatives to the Militia in actual service for the suppression of the late insurrection, with a request that you will please to make the same known to the Militia of Virginia.

The President having personally been a witness to the military merit of the embodied militia, experiences the highest gratification in communicating this honorable approbation, the most precious recompence that could be offered to enlightened Freemen. It is his devout hope that the Militia of the United States may ever be found to be the faithful and invincible protectors and vindicators of the great principles of Law and Liberty.

The citizens of America fixing in their minds as an indelible truth, that obedience to the Laws and the defence of their country, are sacred and indispensable duties, will render its freedom and happiness perpetual.

I have, &c.

Dec. 4th

JAMES TAYLOR, SR., TO THE GOVERNOR.

Norfolk In consequence of an act of assembly passed some years ago, an Hospital for sick and disabled seamen was erected in the neighborhood of this Town. At the time the act was made, the commissioners supposed the funds then on hand and arising from the Tax on seamen, would be sufficient to complete the building which they had agreed to erect; but upon the alteration of the Government, that Tax on seamen ceased, and therefore there was a deficiency to complete the work. A memorial from the commissioners was last session laid before the assembly, and the committee to whom it was referred supposed it reasonable, and agreed that a sum should be appropriated to finish the building, but it being late in the session, and a multiplicity of business before the house, they did not take it into consideration.

The undertaker of the work (who suffers greatly on this occasion), went up in order to have the memorial again brought forward, but was too late. The commissioners who are in a very disagreeable situation

in not having it in their power to make good the contract request that 1794
you will be pleased to state the matter to the house that they may Dec 30
take it into consideration, for unless something is speedily done, the
work already done will soon decay. It is a pity that such a building,
which will be so serviceable to this and every state, should be suffered
to go to wreck. Governor Lee is well acquainted with the circumstan-
ces and promised to exert himself on this occasion, and I am extremely
sorry he is not present to represent the matter to you fully.

In behalf of the commissioners.

I have, &c.

HENRY TAZEWELL TO THE GOVERNOR. Dec 31.

The arrangements necessary to be made in my domestic affairs before King's Will
I could leave home, have detained me until this time. They are now so
far made as to enable me to set out on Thursday or Friday next. Before
I go, however, it concerns me to procure the necessary credentials for
my admission into y'e senate. Not having those laws upon which they
depend, I cannot say whether the notification of my appointment sent
me by the Lieut.-Governor, is alone sufficient. That I am possessed of,
but as I succeed a member who has resigned in Virginia, and whose
resignation is not officially known to y'e senate, perhaps it may be
proper that I should be furnished with the Journals of the Assembly
containing the resignation, the acceptance of that resignation, and of
my appointment in the place of Col. Taylor.

In all probability I could not receive these papers before I leave home.
Will you therefore be so obliging as to enclose them to me in Phila., so
that I may receive them on my arrival there. This favour will be
acknowledged as shall any requests or communications you may be
pleased to make to me in Phila.

I am, &c.

SAMUEL COLEMAN TO THE GOVERNOR. Dec. 31th

The services of the scouts claiming pay, as stated in the enclosed
papers, were not authorized by the Executive, the defence of the fron-
tier for the year 1790 having been assumed by the General Government,
to which the claimants in like cases have uniformly been referred.

I have, &c.

1794. In the House of Delegates,
Dec. 8th Dec. 10th, 1794.
Council office Resolved that the Executive be requested to furnish the House with a statement of the money expended in the defence of the Frontiers during the last year, and which has not been reimbursed by the General Government.

Teste:
CHARLES HAY, C. H. D.

Dec. 9th HUGH CAPERTON TO THE GOVERNOR.

Richmond A short time ago I presented a memorial to your Honorable Board praying Revision of a hard, illegal, and unprecedented Decision of Governor Lee against me as the former Capt. of Volunteer Militia. I conceive my character to have been much injured, and it behooves me to use all possible means to reinstate it. If the Hon'ble Board shall suppose the object of my memorial not within their reach, I solicit that they will direct the clerk to certify accordingly upon the memorial and return it to me. If on the other hand, by recommending to the officers who formed the Court Martial to agree to meet and resume the business, I will pay all the expence and save the public from charges.

I am bold to say, that the officers will execute my wish with such a promised plan with great pleasure, and I am equally bold to predict that every kind of stigma will be wiped away.

I have, &c.

Dec. 10th HUGH CAPERTON TO THE GOVERNOR.

Richmond The proceedings of the Court Martial respecting my tryal were returned to the Executive. Having never had a copy of them, I am under the necessity to request you will order copys to be made out, and I flatter myself that your Excellency and the Hon'ble Board will find no reluctance in promoting objects which may tend to do justice to an injured fellow citizen.

I have, &c.

Dec. 11th ROBERT PAGE TO ROBERT BROOKE.

Frederick county I take the liberty to enclose you my account for attendance at Win chester and advocating, together with yourself, the important case of the Commonwealth against Denny Fairfax, relative to the Manor of Leeds.

It will not be necessary for me to make any observations to you rela-

tive to the labor required in the investigation of that question, because your own information upon this particular subject will lead you to anticipate everything which might be said to justify the reasonableness of the account. I have therefore to request that after it shall have been taken into consideration, you will give Matthew Page, Esq., an order upon the Treasury for the am't. whose receipt shall operate as my own. 1794. Dec. 10th

I have, &c.

H. CAPERTON TO THE GOVERNOR. Dec. 11th

In the year 1793, I was detained on Rich Creek better than two weeks at Mr. Chester Peters' in Greenbrier, by very cold, snowy weather with about forty of my company. On the 14th day of February, I set out from there in order to march to Kanawha. The receipt I gave Mr. Peter's for Rations previous to that day, amounted to twelve pounds, for which I am bound to pay. In consequence of very high water, I was detained on the way and did not get to Capt. Morriss' until the 26th of the same month. The Rations we received from the 14th unto the 26th, I am also bound to the people for, & will be pushed for the same if I do not give satisfaction when I return home; therefore trust your Excellency & the Honorable Board will direct some mode by which I shall be safe. Richmond

I am, &c.

To the Honorable the Executive,

Gentlemen:

Please to observe that on the 18th of December last, the Court Martial was held on me. About the 12th or 15th of January following, I came to Richmond in order to obtain a copy of the proceedings of the said Court Martial, and to request an appeal, but the papers had not been transmitted from the Court Martial at that time.

A general Inoculation of the small pox was about to take place, and I on that account could not wait, having never had the small pox myself, I informed His Excellency the Governor of my Business and Situation; he said I could obtain a rehearing without a copy of the proceedings of the Court Martial. I wrote to him on the subject and returned home. About the first of March, I wrote him again on the same subject by Capt. Gatleff. About the first of April, I wrote him by James Breckenridge, Esq., who delivered the Letter to his Excellency in Norfolk. He informed Mr. Breckenridge that he would write to me fully on the occasion.

In August last, I wrote to him by Capt. Vanbibber, and enclosed some affidavits.

I have, &c,

H. CAPERTON.

1794. BENJAMIN TEMPLE TO THE GOVERNOR.

Dec. 12th Richmond

I am just informed at King William Court a compromise had taken place between Col. Holt Richeson and William Dandridge, Executors, and on the last day of the court, Richeson went into court and acknowledged he was indebted to Dandridge's estate, on a mortgage upwards of seven hundred pounds. A decree was entered for the above sum, and commissioners were appointed to sell the property, which is to take place in a short time. This is the second attempt that has been made to change Richeson's property. I cannot help supposing it is meant to defraud the public out of the debt due from Richeson to the Commonwealth, as he has often told me that on a settlement Dandridge's estate would be considerably in his debt. Considering this property bound to the Commonwealth, I thought it my duty to give you this information, hoping that some step may be taken to secure the interest of the Commonwealth.

I have, &c.

Dec. 12th

THOMAS VAUGHAN TO THE GOVERNOR.

Mecklenburg

Your favor by Mr. Kennon, dated Council Chamber, December 2d, 1794, I have with its enclosures safely received, and am very thankful to the Honorable the Executive for the appointment alluded to by you in said letter. The Bond for the faithful performance of the trust you will herewith receive inclosed in a letter from Mr. Kennon, with his opinion of the sufficiency of the security.

Mr. James Wilson is the bearer of this. By him you will please transmit to me the commission and other papers necessary for my instruction, &c. I flatter myself that my conduct in the business will be very satisfactory to the Executive. I very much fear that the arrearages due from Mr. John Murray, sheriff of this county, for the year 1782, is irrecoverably lost to the Commonwealth, he being dead, and his estate nearly or quite exhausted. One of his principal securities, in order to get out of the way, moved a few years ago into Georgia, where he has since died and left his estate, as I am informed, in such a manner that it will never be subjected. The other security (I am informed but two were given) lives in this county and has considerable property here, but the talk of the people is that no part of it can be made liable. Murray has left a considerable tract of land which, if ever subjected, will raise the greater part of the debt. This land is mortgaged to Col. Allen, late of Surry county, for a considerable debt due from said Murray. Allen is dead, and his executor has not done anything in the business that I have heard of. Mr. Allen, in his life time, brought a suit against Mr. Murray's ex'ors, in the High Court of Chancery. The principal deputy

of Mr. Murray is run away, but has left a few very able securities here. 1794.
It is probable that the now sitting Assembly will pass some other law Dec. 12th
upon the subject of this business. If they do, I shall be glad to receive a copy of it as soon as possible.

Any papers necessary to be transmitted to me will always come safe, and meet with speedy conveyance under cover addressed to me to the care of Messrs Holloway & Birshett, merchants in Petersburg.

I wish the securities of Mr. Murray's principal Deputy could be proceeded against. I know nothing of the Debtors in any other of the counties composing the District.

I have, &c.

Agreeably to the instructions contained in the Resolution of the Executive of the 20th of Octo. last, I have set apart as the money came into the Treasury the balances of the last Calls due to the several Canal Companies.

J. AMBLER.

Treasury, 16th Dec. 1794.

A List of persons who have migrated into the State of Virginia, and in the court of Washington county, given satisfactory proof by oath that they intended to reside in the said State, and also have taken the oath for giving assurance of fidelity to the said Commonweath: Dec. 16th

The court at which the oaths were taken.	Persons' Names.	Nation.	Occupation.
1794—Aug. 19, - -	William King,	Ireland,	Merchant.
	James Bredin,	Ireland,	House Carpenter.
	Sam'l Bredin,	Ireland,	Farmer.
1794—Dec. 17, - -	James Caldwell,	Ireland,	Merchant.

Teste:

JOHN CAMPBELL, C. W. C.

Dec. 17th.

H. Caperton to the Governor. Dec. 17th

You will please to direct a warrant to G. Shell for the Rations due me Richmond
for '93, and for the ammunition. If your Excellency should wish

1794. Dec. 17th further proof, you will let me know, and I will send for Col. Clendenin, Capt. Morris, and Capt. Hutcheson, who can satisfy your Excellency and the Honorable Board.

Your attention at this time will much oblige,

Your, &c.

I do certify that I believe the within to be a true statement of facts; that in the month of February, 1793, I came home from Gallipolis and found the Spies appointed by Captain Caperton ingaged in the discharge of their duty, and likewise a number of soldiers as stated in the within by William Morris.

Given under my hand this 13th day of December, 1794.

GEO. CLENDENIN.

I do certify that some time between the 15th and 20th of December, 1792, two of the Scouts appointed by Capt. Caperton were by me qualified to the duties of their office. That sundry other persons were by him Inlisted as soldiers from the sixth to the 15th of said month, and were furnished with Rations from the dates of their enlistments as stands by my accounts stated before you. That sundry Receipts for Rations furnished in the month of January and February in said year have been forwarded to me which were furnished in the county of Greenbrier. I presume great injuries will be done to the Holders of said Receipts or Capt. Caperton unless they are allowed.

Likewise to the Scouts that were in service, as I am satisfied they performed their duty at a very Inclement season.

Given under my hand this 13th day of December, 1794.

WILLIAM MORRISS.

Dec. 17th

Richmond, December 3d, 1794.

I do certify that some time about the first of January, 1793, I wrote to Capt. Hugh Caperton, Requesting him to receive of my Plantation in Greenbrier from James Garritt and others, Rations for such of his Company as were in Greenbrier. That I also furnished Rations to sundries of his Company in Kanawha from the dates of their Inlistments.

Given under my hand the date above written.

WILLIAM MORRIS,
Late Contractor.

Dec. 17th Received December 13th, 1792, of William Morris, contractor, 60 rations for six men, enlisted the 6th instant, for the defence of Kanawha county, under the command of Captain Caperton.

Given under my hand.

DAVID MILBURN, Serg't.

Received of William Morriss, contractor, rations for ten men at sundry times from the 14th of December, 1792, till the 26th of February, 1793, both days inclusive, amounting to 750 rations. 1794. Dec. 17th

Given under my hand.

DAVID MILBURN, Serg't.

Men enlisted by Captain Caperton, December 6th, 1792: William Morris, Junior, David Milburn, John Cavender, Edward Hughes, John Bailey, Thomas Castor.

Men enlisted by Captain William Morris, authorized by Captain Caperton December 14th, 1792: Stephen Teays, John Neugen, Henry Montgomery, James Shirkey, who have received their rations at the house of William Morriss from the day of their enlistment.

DAVID MILBURN, Serg't.

In the House of Senators,
Wednesday, December 17th, 1794.

The House, according to the order of the day, proceeded by joint ballot with the House of Delegates to the choice of a Treasurer of the Commonwealth for the ensuing year; and the members having prepared tickets with the names of the persons ballotted for, and deposited the same in the ballot-boxes, Mr. Trigg, Mr. Peyton, Mr. Eyre, Mr. Wilson, Mr. Temple, and Mr. McCraw were nominated a committee to meet a committee from the House of Delegates in the conference chamber and jointly with them to examine the ballot-boxes, and report to the House on whom the majority of votes should fall.

The committee then withdrew, and after some time returned into the House, and Mr. Trigg reported that the committee had according to order met a committee from the House of Delegates in the conference chamber, and jointly with them examined the ballot-boxes, and found a majority of votes in favor of Jacquelin Ambler, Esquire.

Teste:

H. BROOKE.

In the House of Delegates,
December 17th, 1794.

The House, according to the order of the day, proceeded by joint ballot with the Senate to the choice of a Judge of the General Court in the room of Spencer Roane, Esquire, who hath accepted the office of Judge of the Court of Appeals; and the members having prepared tickets with the names of the persons ballotted for, and deposited the same in the ballot-boxes, Mr. Bentley, Mr. Tate, Mr. Clay, Mr. Baytop, Mr. Chamberlayne, Mr. Harvie, Mr. Evans (of Accomack), Mr. Braxton, Mr. Wil-

1794. Dec. 17th

kinson (of Henrico), Mr. Cocke, Mr. Baylor, Mr. Falcon, Mr. Barnett, Mr. Shearman, and Mr. Machin were nominated a committee to meet a committee from the Senate in the conference chamber, and jointly with them to examine the ballot and report to the House on whom the majority of votes should fall.

The Committee then withdrew, and after some time returned into the House, and Mr. Bently reported that the committee had according to order met a Committee from the Senate in the Conference Chamber, and jointly with them had examined the ballot boxes, and had found a majority of votes in favor of Paul Carrington, Esq.

Teste:

CHARLES HAY, C. H. D.

In the House of Senators,
Wednesday, December, 17th, 1794.

The House according to the order of the day proceeded by joint ballot with the House of Delegates to the choice of a judge of the General court to fill up the present vacancy therein; and the members having prepared tickets with the names of the persons balloted for, and deposited the same in the ballot boxes, Mr. Cabell, Mr. Preston, Mr. Birchett, Mr. Meade, Mr. Bassett, and Mr. Anderson were nominated a committee to meet a committee from the House of Delegates in the Conference Chamber, and jointly with them to examine the ballot boxes and report to the House on whom the majority of votes should fall.

The committee then withdrew, and after some time returned into the House, and Mr. Cabell reported that the committee had, according to order, met a committee from the House of Delegates in the Conference Chamber, and jointly with them examined the ballot-boxes, and found a majority of votes in favor of Paul Carrington, Jr., Esquire.

Teste:

H. BROOKE, C. S.

Dec. 17th

A. Prior to John Steele.

Notwithstanding I have recited my case to you verbally, hope I may be excused in committing it to writing to avoid any neglect thro' mistake of my request to the board in my former address to the board.

As there is no money in the Treasury, flatter myself that I may be indulged to receive a warrant, which I will risque collecting the money upon, from the sheriffs in the country on the contingent fund or any other fund, tho' it should be at my expence, sooner than be without some relief at this time, and that I may be indulged the opinion of the

Board in regard to the claim of the officers and soldiers for issuing salt to every hundred rations of salt provisions, in writing, unless it should be considered unnecessary and not worth claiming the attention of the Board. Doctor Pettit's bill, Dr. La Moynes', the winter protection at the Point and Belleville, and my ammunition account may have its deserved effect on the minds of the board. 1794. Dec. 17th

I am, &c.

Richmond, December, 12th, 1794.

Sir:

I beg leave to lay before your Excellency and the Honorable Board my local situation from this place, and the difficulty and fatigue attending a journey from the point at the period of the year the services of the militia will end at. In coming forward to close my accounts as a claim for partial payment for my services as contractor for the militia in Kanawha county, I consider it unnecessary to say anything more on the subject, as Col. Steele, and probably some other gentlemen of the board can more fully inform your Excellency of my distant and difficult situation. I therefore most earnestly request your Excellency and the Honorable Board to consider me in the most favorable light, and grant me at least three parts of the sum due for the rations furnished the militia, which can be ascertained from returns which will be laid before the Board by Mr. Cavendish. I also request your Excellency and the Honorable Board to determine the propriety or impropriety of issuing salt with salt provisions, and request it may be given me in writing the opinion of the Board. I also request the payment of an order for Dr. Pettit's attendance on the sick and wounded in 1793, also for the winter establishment last which will be justified in a letter from Colonel Lewis to Governor Lee last summer.

I have, &c.,

A. PRIOR.

JOHN PENDLETON TO THE GOVERNOR. Dec. 18th

I can not but think that the returns on the Executions mentioned within, afford sufficient ground for suspicion of fraudulent sale, and I lay the subject before the Executive pursuant to the 22nd sect. of the 16th chap. of the Acts of '92. Auditor's office

I ought indeed to have done this before now, but it escaped attention.

I am, &c.

On a fi. fa. issued the 23rd July, '92, for the C'wealth against Robert Craig, formerly Sheriff of Washington county, for a balance of taxes due for the year '87, the Sheriff made the following return:

1794. 1792, Oct. 1st.

Dec. 18th Executed on one tract of Land, two fields of corn grain thereon, a quantity of Rye, oats, and Flax in a barn, the property of Robert Craig by virtue of the within Execution.

ANDREW COLVILLE, D. S.,
For ALEXANDER MONTGOMERY,
Sh'ff Washington County.

Oct'r 10th, 1792.

Two pounds 5s. 6d. made by the grain, and the Land not sold for want of bidders.

A. COLVILLE, D. S.,
For ALEXANDER MONTGOMERY,
Sheriff.

The 7th day of March, 1793, a Vend. Exp's issued, on which the Sheriff made the following returns:

By virtue of the within writ to me directed, I have exposed to sale the Land and tenements therein mentioned, which produced the sum of three pounds 6s., which I have ready in my hands as within is commanded.

A. MONTGOMERY, S'h'f.

To the Hon'ble the Executive of Virginia:

Gents,

I do myself the honor to answer your last, requesting to know what Public Monies are in my hands, or what prospect I have to collect any. Only two Executions have been sent to me; in one of which against Ward, Sheriff of Russell, was an error that I could not proceed on it. Since that, some money has been paid into the Treasury on this Execution. The other was against Robert Craig, late Sheriff of Washington, which, from several causes proved improductive to the public; a statement of which business, I do myself the honor to Inclose and hope for your Instructions in what manner I am to proceed in future. No monies have come into my hands under my agency.

I have, &c.,

JNO. TAYLOR.

A statement of facts respecting the Land whereon Robert Craig, late Sheriff of Washington county, now lives, and on which I did as Agent direct the now Sheriff of Washington to levy an execution for the arrearages of taxes due from s'd Craig and securities for the year 1788:

1794. Dec. 18th

In May, 1792, this Land is said to have been sold by virtue of an Execution issued against Robert Craig for arrears of taxes due from him as Sheriff for the year 1787. It is said this land contains about 180 acres and has valuable improvements thereon, and was sold at said sale for eleven dollars (which is less than three-fourths of its value), and credit for three months, was not offered at that time.

It appears from the oath of Alexander Montgomery that only about thirty days' notice was given of the sale of said land; that no commissioners attended to value said land, or were summoned to attend. He was then the Sheriff of Washington.

It appears by the oath of Walter Preston that Robert Craig either advanced or offered to advance the purchase money then bid for said land. These proceedings I conceived were illegal, and therefore I prosecuted the business in the following manner, which was put into my hands as agent by the Commonwealth, viz:

I delivered the execution against said Craig to Robert Campbell, now sheriff of Washington, and directed him immediately to levy it, which he did upon the afore-mentioned land. A claim was then set up to said land by David Carson, one of Robert Crig's securities, who called himself the purchaser. A jury was then summoned to try the title of said land, agreeable to law. Witnesses were called on; the jury divided in opinion seven to five, the majority for the Commonwealth.

I again appointed another day for a jury to meet a second time, viz: the third of October; they accordingly meet to ascertain the title. In the meantime Alexander Montgomery, the late sheriff who sold the land, executed a deed of conveyance for the same to David Carson in the court of Washington, for the above consideration of eleven dollars, and after the first execution was levied thereon.

On the second meeting of a jury on said land but one witness appeared, though several were directed to be summoned. He was objected to by some of the securities as being interested. The case was stated however to the jury, who were again divided eight to four, a majority for the Commonwealth.

JOHN TAYLOR, Agent.

Nov. 3rd, 1794.

The sale made by the sheriff, under the execution which was levied in 1792, seems to me to be void in consequence of the irregular procedure of that officer. He has in nothing obeyed the law. If no provision was made for the case I should have no hesitation in advising the sale of the land under the second execution, even although a verdict of the jury had been rendered against the Commonwealth. But the 22nd section of the 16th chapter of the Acts of 1792, which is copied from the Act of 1787, directs the Auditor, when he shall suspect fraud in the service of an execution, to make report thereof to the Executive, whose duty it shall be to direct the Attorney of the Commonwealth for the

1794. Dec. 18th district, county, or corporation to file an information thereupon, and if it shall appear that the sale was fraudulent, the property shall not pass thereby.

In this case, the sale is in my opinion not only void through its fraud, but its irregularity likewise. Yet as the irregularity seems mingled with fraud, it may be most proper to pursue the precise mode pointed out by the law.

J. MARSHALL.

The service of the execution vested the property in the Sheriff, so that it became legally his for the purpose of satisfying the execution. In my opinion it passes to his representative, who may and is bound to sell. The question however came on before the last General Court, and was not decided.

J. M.

Dec. 18th

PAUL CARRINGTON TO THE GOVERNOR.

Richmond

Your Excellency's letter inclosing a Commission to me as a Judge of the General Court conformably to the election of the General Assembly is this moment received.

The appointment is readily and gratefully accepted, and in return for the confidence of the Legislature, I can only assure them of my earnest disposition to discharge the important duties of the office with care and diligence.

I have, &c.

Dec. 18th

BY THE GOVERNOR OF THE COMMONWEALTH OF VIRGINIA—A PROCLAMATION.

Whereas, the information respecting the infectious disease which prevailed in the West Indies, and which induced the proclamation of the Lieutenant-Governor of the Commonwealth of the second day of August, one thousand, seven hundred and ninety-four (directing the performance of Quarantine in certain cases), concurs with the present season of the year, in rendering unnecessary a continuance of the precautions therein directed, with respect to vessels arriving from certain ports in the said Proclamation mentioned, I have, therefore, thought it proper by and with the advice of the Council of State, hereby to revoke the same.

Given under my hand as Governor, & under the seal of the Commonwealth at Richmond this 19th day of December, in the year of our Lord one thousand, seven hundred and ninety-four, and of the Commonwealth the nineteenth.

R. BROOKE.

Warrant of search by Hue & Cry issued by Thomas Watkins, J. P., of Halifax, for the arrest of Thomas Tuck, charged by a coroner's jury with the murder of Thomas Daniel, and who has fled from justice. 1794. Dec. 18th

Deposition of Thomas Nash at a coroner's inquest concerning the murder of Thomas Daniel by Thomas Tuck.

Deposition of Tapley Daniel concerning the murder of Thomas Daniel by Thomas Tuck on the 13th of Nov., 1794, at the house of John Nash, in Halifax.

Inquisition of twelve good and lawful men taken before Thomas Watkins, Coroner, of Halifax, on the 26th day of Nov., 1794, over the body of Thomas Daniel, murdered by Thomas Tuck on the 13th of Nov., 1794, at the house of John Nash, in the county of Halifax. Verdict, that the said Daniel came to his death as stated, viz.: by being stabbed with a knife in the hand of said Tuck.

GEORGE CLENDENIN TO THE GOVERNOR. Dec. 20th

Richmond

On yesterday the Honorable Mr. Steele informed me that my letter respecting the pay and subsistence of a certain company employed for the defence of Greenbrier and Kanawha would this day undergo an investigation. I therefore consider it a part of my duty to lay before your Excellency and the Honorable Board a schedule of the allowances made by the General Government for the year 1791.

Your Excellency will please to have a reference to the law of '92, in virtue of which certain ranging companies were appointed, and that by the act of the Executive the militia (if the necessity of the case required) should aid them. If by this order of the Executive they should have acted in conjunction with this ranging company, or in other words, done the whole of duty themselves, I beg the Executive to inquire whether they ought not to have equal pay (at least).

This schedule is meant to inform you that if militia pay should be concluded upon by the Executive the militia will be in a worse situation than they were before the interference of the State Government.

I am, &c.

N. B.—You will please, with your statement of decision on the aforesaid business, return to me the enclosed schedule.

GEO. CLENDENIN.

Richmond, December 18th, 1794.

Sir:

I beg leave to represent to your Excellency that in vain have I for a considerable time endeavoured to have the pay and subsistence of

1794. Dec. 20th

Captain John Morris' company, employed for the defence of Greenbrier and Kanawha, reconsidered. They, Sir, under the invasion law, were called out on the 15th of March, 1792, and were in service in the month of May when Captain Hugh Caperton came forward, who was appointed the officer of a ranging company for the protection of the aforesaid counties the same year. When he appeared on the frontiers he informed me that in consequence of the default of the contractor, Colonel Boon, it had not been in his power to bring forward his company, as no provision had been or was about to be made for them: therefore in virtue of a power which was delegated to him by the Executive, he directed me to continue the said John Morris' Company in service, they being, sir, in a great measure the only existing power whereby the Enemy might be repelled, for by the Reason aforesaid, I believe he, the said Caperton, could not bring forward his company. The said company were continued in service during the whole time for which they demand pay and subsistance, by my Letters of the 21st and 22nd of September, 1792. I gave the Executive notice thereof, who returned me for answer that they heard with great pleasure of my exertions to defend the Frontiers, and approved of my conduct in co-operating with Capt. Caperton, by detaching to his aid the aforesaid company of Militia: that they would be paid for the service so soon as the proper papers reached them. This acknowledgement bears date the twelfth day of October, 1792: but, Sir, when Capt. John Moore comes forward for his pay for himself and company, and also with the abstract for Rations actually furnished, the Executive answer that they know nothing of this communication: that this must have been the act of the Governor—not of the Governor and council.

Here, sir, give me leave to request your Excellency and the hon'ble Board to pause for a moment. Do I, sir, expect that the Executive will individually address me? Is it not the practice that the orders directed from your Board to have the Signature of the Governor? Am I in my official station to know any other than him at the head of the department? He, sir, by his said Letter of the 12th of October, 1792, informs me that my Letters of the 21st and 22d had been submitted to the council of State, and that their determination was as I have above recited.

Sir, there was no Contractor, consequently I was compelled to furnish Rations for said Company, part of which was out of my own private property and part I purchased for which I am obliged to pay if it takes the last stiver I have on Earth.

It will perhaps be asked by the Executive why I did not inform them that these men were in service previous to my letters of the 21st and 22d of September, 1792. If this question arise they will please to refer to their proceedings respecting the expenditures of 1791 wherein they commanded me to forward the original papers to the General Government, duplicates of which I should immediately transmit to them. This order

I most promptly obeyed. Mr. Joseph Howell at the head of the accountant's department informed me that he had paid my express. The Executive of Virginia informed me that the business of executing their orders did not authorize an express, (or to that amount), wherefore, the Board advised that it should not be paid, consequently I could not afterwards procure any public conveyance, and when private ones are made use of, the papers seldom meet with their intended destination. I trust that the Honorable Board will not conceive that I intended to reflect upon them, when they thus determined, but being compelled to make a full statement and thus led to mention how I was restricted. The power was not vested in me as was in the ranging officer. If his Company could have come forward, perhaps this extraordinary expence would not have been incurred. 1794. Dec. 20th

I hope your Excellency will pardon the trouble I give, when I beg you to have a particular reference to the many papers which transpired on the aforesaid occasion—and well knowing that some members of the Executive have never acted on this business, hope a decision will be found in my favor, if consistant with truth and justice.

I am, &c.

GEO. CLENDENIN.

GEORGE CLENDENIN TO THE GOVERNOR. Dec. 23d

I am confined to my lodgings in consequence of a most inveterate cold that appears to affect my lungs. I do not expect to get the better of it in this place. Have therefore, to request your Excellency to collect a Council to-day, and determine on the business which I have laid before the Honorable Board. As I have laid myself liable to many on account of the business (obeying) must on my return render some satisfactory account. Therefore, I hope for an immediate decision—that those to whom I have showed the letters of the Executive, particularly the one subjecting me to the order of the Ranging Officer, and that of approving my conduct so late as the 12th of October, in virtue whereof (and in default of the then existing contractor), many individuals give me credit, to whom I have been. and am at present liable. I wait the decision, suffer me to repeat it. Richmond

I am, &c.

W. TATE TO THE GOVERNOR. Dec. 24th

In a former communication to you I stated the reasons which compelled me to employ Mr. Wilson and Mr. Cavendish to assist in paying Richmond city

1794. Dec. 24th off the Volunteer Militia of this State, by which I have incurred a considerable expence, which I am incompetent to discharge, by the advance of two hundred and fifty dollars which was voted me by the board on account, and as I understood, was intended to bear my expenses while I travelled over our Frontier country.

If, therefore, the subject could with propriety be again resumed and such further compensation as to the Executive appears just and right, it will be held in grateful remembrance by

Your, &c.

Dec. 24th To the Honorable the Governor and members of the Privy Council:

The petition of William Mitchell, late Sheriff of the county of Patrick, respectfully sheweth, That previous to the division of the county of Henry, a certain James Lyons having acted as Sheriff thereof, and fallen short in the collection of the certificate Taxes for the year 1786, a judgment for the amount thereof was entered up in the General Court on account of his delinquency, and the execution issued thereon put into the hands of your petitioner as sheriff of the county of Patrick returnable to the November Term of the said court in the year 1793; that in virtue of the said Execution, he made of the Goods and chattels of the said Lyons, the sum of £31. 5. 6. in certificates, which, agreeably to Law, ought to have been paid into the Treasury on or before the 9th day of December thereafter.

The above-named petitioner offers in extenuation of his failure to make payment of the above-named Judgment, the fact that he and all other persons from the country were prevented from coming into Richmond by the existence of the Small-pox in the city at the time he would have come for that purpose.

Judgment in the Gen'l Court at Richmond entered against Wm. Mitchell, sh'ff of Henry, for £31. 5s. 6d., am't of an Ex'on against Jas. Lyons, late sh'ff of Henry, for certificate of Taxes for 1786, and a forfeit of £128. 12s. 6d., with int. at 10 pr. ct. from 9th Nov., 1793, on £31. 5. 6. Damages and Int.; also $5 26, charge for notice and costs of motion.

Auditor's certificate of payment of above.

Dec. 27th WILLIAM MORRIS TO THE GOVERNOR.

Richmond In the presence of Col. John Steele, Capt. Hugh Caperton, and myself, agreed that the Rations furnished his Company in the year 1793, from the 15th of February to the 26th of the same month, should be paid to myself. At present the Order stands in his name. He is gone, and ex-

pects me to draw the money. Claims of the same nature are paying up. I therefore trust that such measures will be taken by the Executive as will direct a payment to me. 1794. Dec. 27th

I, sir, was your contractor, and am Lyable to the people for said amount of Rations—part was found in Greenbrier by Capt. Caperton thro' my directions.

I am, &c.

A. Lewis to the Governor. Dec. 28th

Not receiving instructions from the Executive respecting the discharge of the troops under my command on the Southwestern Frontiers, I acted agreeable to their directions to me under which the troops were enlisted, Dated December the 3d, 1793, in which you will find they were to serve until the last day of the month, if deemed requisite. Whether from their instructions they intended I should judge the time necessary, I cannot tell, but knowing by inference that this being a time of year that our frontiers are least exposed to the Indians, and that it would be a small expence saved to the public, I took the liberty to have the whole of the Troops under my direction Discharged on the 20th day of this Instant. It's not convenient for me to attend at Richmond with my public acc'ts—have forwarded them in the care of Mr. Kent, by not receiving the Instructions as Dated above. The Troops are discharged for the service of ninety-three. It made the recruiting Business very Difficult, and put it out of my power to have my company, which was destined for the winter Defence, to be mustered in a regular manner. I was under the necessity of immediately sending them so soon as enlisted, to keep up the different Garrisons, and it was some time before they could be mustered; and others, again you will find as pr. Roll, were mustered on the very day as entered the service—so that I think it full as saving a plan to the public as to have had them mustered at one time and to draw pay six Days previous to their muster. My instructions in that point, as well as every other Directions given me in charge by your Honorable Body, I should have most cheerfully complied with had the nature of the service admitted. The Troops allowed for the summer defence, the officers had a sufficient time to raise them, and enabled them to be mustered in a regular manner, but my not receiving my Instructions for the defence of the Frontier until some time in December last, when the Troops were all dispersed, I was obliged to supply the different Garrisons as I could, and unless the muster-master would have attended at the different stations, it was impossible to have them mustered within the time allowed; but so soon as a sufficient number were in service to protect the part most exposed, I had them enlisted as the necessity of the Frontiers required and called into service, which I hope your Excellency will be satisfied was the most saving plan. Montgomery

1794. Dec. 28th

The officers' time and pay I have in the pay roll left blank, but think their pay ought to commence on the fifth day of December, 1793; for since that time they have been fully engaged in the Business. I have settled with my company for their service for the year 1794, and made them full payment for which they have assigned their discharges to me, and as it would save the trouble and expence of a paymaster for that Company, I have sent the whole of the discharges by Mr. Kent, and hope your Excellency will, as I have advanced the money and given my own obligation for money to be paid them, which was their choice, that you will direct the amount of said discharges with my own pay, to be paid to Mr. Kent. If the Treasury is not in a situation to advance the money, warrants for the amount will be given.

The public arms are lodged at Mr. John Smith's, Russell county. Of the ammunition allowed for the Troops for the year 1793, there is now on hand of the lead, three hundredweight. I was in hopes to have made the powder allowed for the same year to have also done the Troops for the present year, but it failed, and I was obliged to purchase a quantity —— Forward the account by Mr. Kent and hope he will receive payment.

Our fellow citizens who live exposed to the mercy of a savage enemy are much alarmed, least Troops may not be allowed them for the next year. Their situation, from my own knowledge, I must lament, but hope and trust that as the Executive have stretched their hands out to assist them, that everything will be done to render their safety complete.

I am, &c.

Dec. 28th

To the Governor and the Honorable the Members of the Privy Council.

The memorial of William Pickett, late sheriff of the county of Fauquier, Humbly Sheweth—

That your memorialist was appointed and commissioned as sheriff of the county of Fauquier for the years 1788 and 1789, and agreeable to the usage of sheriffs, farmed out the office to John Blackwell, who took upon himself the excution of his said office. Your memorialist expressly states that he never had in any manner interested himself in the collection of the taxes due for those years, considering that the said John Blackwell and those who collected with him as being entirely responsible for the payment. That the succeeding collections for the year 1790 devolved upon Thomas Bronaugh, who also farmed out the office to the said John Blackwell; that during the collection which was to have been made under the said Thomas Bronaugh, judgments were obtained by the Commonwealth against your memorialist for a considerable balance of the Revenue tax upon which said judgment executions issued and put

1794. Dec. 28th

into the hands of the said Thomas Bronaugh to be executed, and the said Thomas Bronaugh delivered the said Executions to the said John Blackwell, as he has been informed, who was entirely responsible as your memorialist then thought; that the said John Blackwell, without giving any notice to your memorialist, returned the same to the General Court office, "that he had executed it and it was ready to satisfy."

Your memorialist further states, that he was advised and did verily believe, that by the said return he was entirely discharged from the Judgment of the Commonwealth, and that the said Thomas Bronaugh had become responsible for the same in consequence of the aforesaid return. Your memorialist further states, that the taxes to be collected by the said Thomas Bronaugh have been paid into the public Treasury, as he has been informed, and the collection was made by the same persons that made the collection under your memorialist, and he has reason to believe that the money collected for the years 1788 & 1789 were appropriated in discharge of the taxes collected under the said Thomas Bronaugh. Your memorialist further states that the execution returned by the said John Blackwell was quashed by the General Court, without having received any notice, and that an execution has issued against the estate of your memoralist, the whole or greater part of which has been taken in execution at the suit of the Commonwealth, and has been exposed to sale and at different times, the greater part has been actually sold and purchased by the Brigade Agent in trust for the Commonwealth. Your memorialist further states that the said agent has advertized the lands which he purchased, to be sold for the benefit of the Commonwealth on the 10th of next month, that your memoralist has obtained a judgment against the said John Blackwell, and has issued an execution by which he expects to recover from him the amount of the judgment obtained by the Commonwealth, and by that means have it in his power to redeem the lands and other property purchased by the Agent in Trust for the Commonwealth.

Your memorialist further states, that the Commonwealth's execution against him has been returned to the General Court office by the direction of the agent, a copy of which return is hereto annexed, to which he refers as a part of his petition.

Your memorialist further states, that he supposed the agent could not legally purchase the property at less than three-fourths of the valuation of the Commissioners, and before the land whereon he lived was exposed to sale, your memoralist tendered the balance of the said execution, supposing the Merchant Mill had been sold at three-fourths of the valuation of the Commissioners, which was refused.

Your memorialist further prays the interference of the executive to give directions to the Agent for the Commonwealth, to suspend the sale of his land which is advertised, to some future reasonable day, so as to give him an opportunity of collecting from the said John Blackwell and the other Deputy Sheriff's their several proportions of the taxes for

1794. Dec. 28th

which his property has been sold, all the said Deputies being men of real and personal property, which admits of little doubt, but that their several proportions of the taxes may be raised, and if no indulgence is granted to your memoralist, he prays the opinion of your Honorable Board whether the sale of the Merchant Mill as mentioned in the Sheriff's return and purchased by the Brigade Agent, was not illegal and therefore void.

And, &c.

WILLIAM PICKETT.

Fauquier County, December 28th, 1794.

Executed on two slaves, Jupiter and Scipio, seventeen head of cattle, twenty head of sheep, eight head of horses, three beds and furniture, and one looking-glass, which were sold to Martin Pickett for one hundred and sixty-three pounds fourteen shillings and nine pence; and afterwards executed upon a merchant mill on Carter's run and fifteen acres of land, the land whereon the said William Pickett lived, supposed to contain three hundred and seventy-two acres; also a tract of land near the said mill, supposed to contain one hundred and eighty-three acres, and a lease in the Leeds' Manor, containing one hundred acres. The mill and fifteen acres of land on the 11th of November, valued by the commissioners summoned agreeable to law to 1850; the Brigade Agent refused to give three-fourths of the value, and directed it to be immediately set up and sold for what it would bring, as there was no bidder at that time, and was purchased by said agent for eight hundred pounds; the land whereon the said William Pickett lived, supposed to contain 372, was, on the 19th of November, valued by commissioners of the county, summoned agreeable to law, at 40s. per acre, and purchased by the agent at three-fourths of its valuation. The land near the mill, supposed to contain 183 acres, and the lease was advertised to be sold on the 6th of December, but only two commissioners attended; it was afterwards advertised to be sold on the 13th of the same month, and only two commissioners attended; it was again advertised on the 20th of said month, and no commissioners attended. There could be no sale. I was then directed by the agent to return this execution, and the balance of the land remains unsold.

I have retained in my hands thirty-three pounds and eight shillings out of the first sale, for my commission upon the whole sales of William Pickett's estate that was actually sold, and twenty-eight shillings for the commissioner's fees, which I have paid them, and the balance, £128. 18. 9., I have ready to satisfy.

The above is a copy of the return made by me upon an Execution from the General court in favor of the Commonwealth vs. William Pickett.

AYLETT BUCKNER.

JAMES MCGAVOCK TO THE GOVERNOR. 1794.

I made application to Mr. Moses Austin according to your request for the Lead due to this Commonwealth. He told me that he had at present very little on hand, but so soon as he could get the quantity made which is due he would deliver it. Dec. 29th Fort Chiswell

I am, &c.

THOMAS MIFLIN TO THE GOVERNOR. Dec. 29th

I have the honor to transmit to your Excellency the copy of an affidavit made by Stephen Girard of the city of Philadelphia, Merchant, before a magistrate of this state, stating that Joseph Larelle had taken or caused to be taken a certain Mulatto boy of the name of Crispin, about sixteen years of age, from the service of him, the said Stephen Girard, with an intention of selling, or disposing or of keeping and detaining or causing so to be, him, the said Crispin, who at that time was, and still is a servant for a term of years to him, the said Stephen Girard. And the said Stephen further says he verily believes that the said Joseph Larelle has by fraud seduced, or caused to be seduced, the said servant from him the Deponent being an inhabitant of the state of Pennsylvania, and has carried or caused so to be the said servant to parts beyond the state of Pennsylvania, to-wit, into the state of Virginia, without the knowledge or consent of him the said Stephen." Philadelphia

This offence is made highly penal by an act of the General Assembly, passed on the twenty-ninth day of March, 1788, from which an extract is subjoined for your Excellency's more particular information.

Under these circumstances, I request that your Excellency will be pleased to direct that the above described Joseph Larelle shall be delivered up (if found within your State), to be removed to this state, having jurisdiction of his offence agreeably to the provision contained in the second section of the Fourth Article of the Constitution of the United States.

I am, &c.

Extract from an act of the General Assembly of Pennsylvania, passed at Philadelphia the twenty-ninth day of March, 1788, entitled "An act to explain and amend an act entitled an act for the gradual abolition of slavery":

Section 7. And be it further enacted by the Authority aforesaid, that if any person or persons shall from and after the passing of this act, by force or violence take and carry or cause to be taken or carried, or shall by fraud seduce or cause to be seduced any negro or mulatto from any part or parts of this state, to any other place or places whatsoever, with

1794. Dec. 29th

a design or intention of selling or disposing, or causing to be sold, or of keeping and detaining, or of causing so to be as a slave or servant for a term of years, every such person or persons their aiders and abettors shall, on conviction thereof in any court of Quarter sessions for any city or county within this commonwealth, forfeit and pay the sum of one hundred pounds to the Overseers of the Poor of the city or township from which such negro or mulatto shall have been taken or seduced as aforesaid, and shall also be confined at hard labor for any time less than six months nor more than twelve months, and until the costs of prosecution shall be paid."

City of Philadelphia, ss.:

On this twenty-seventh day of December in the year of our Lord one thousand seven hundred and ninety-four, before me Matthew Clarkson, Mayor of the city of Philadelphia, state of Pennsylvania, personally came and appeared Stephen Girard of said city, merchant, and being duly sworn, on his solemn oath deposes, declares, and says that a certain person of the name of Joseph Larelle has taken or caused to be took a certain mulatto boy of the name of Crispin, about sixteen years of age, from the service of him the said Stephen Girard, with an intention of selling or disposing, or of keeping and detaining, or causing so to be him the said Crispin, who at that time was and still is a servant for a term of years to him the said Stephen Girard, and the said Stephen further says he verily believes that the said Joseph Larelle has by fraud seduced or caused to be seduced the said servant from the service of him this deponent, being an inhabitant of the state of Pennsylvania, and has carried or caused so to be, the said servant to parts beyond the state of Pennsylvania, to-wit: into the state of Virginia, without the knowledge or consent of him the said Stephen.

STEPHEN GIRARD.

In testimony whereof I have hereunto subscribed my name and caused the seal of the said city to be affixed.

MATH. CLARKSON, Mayor.

[Seal.]

A true copy:

JAMES TRIMBLE, Dep. Sec.

Secretary's office, Philadelphia, Dec. 28th, 1794.

Dec. 29th

In Council, Dec. 30th, 1794.

The General Assembly at their last session having passed an act entitled an act authorizing the Executive to remit the damages and fines

incurred by Sheriffs and collectors in certain cases, whereby a discretionary power is vested in the Executive. The board took the same into consideration, and advise that the circumstances of each case, on application for remission of damages or fine, where the principal, interest, and cost shall be paid prior to the first of May next, shall be received and particularly attended to, and that applications subsequent to that day will most probably be negatived. 1794. Dec. 29th

Extract from the minutes.

Attest:

A. BLAIR, C. C.

At a Court held for Sussex county the 1st day of January, 1795: 1795.

Present—Robert Jones, John Massenburg, John Mason, Green Hill, and William Massenburg—Gent.: Jan. 1st

The court proceeded to nominate and recommend proper and fit persons to be commissioned Justices of the Peace for said county in addition to those now exercising that office. Whereupon Charles Nicholson, Thomas E. Rives, John Smith, and Robert Booth are recommended to his Excellency the Governor.

Teste:

M. BAILEY, C. S. C.

British Consul's Office, Jan. 2d
Norfolk, January 2nd, 1794.

Sir:

His Majesty's ships, Thetis and Cleopatra, having received some damage it will be necessary for them to have repairs before they can again proceed to sea. I have to inform you that both ships are expected here first fair wind for that purpose, and I presume they will be permitted to pass the forts into this harbor.

I am, &c.,

JOHN HAMILTON.

William Lindsay, Esq.

EDMUND RANDOLPH TO THE GOVERNOR. Jan. 3d

I do myself the honour of transmitting to your Excellency six copies of a Proclamation issued by the President of the United States, recommending a day of thanksgiving. I must take the liberty of requesting you to cause it to be promulgated in any manner which you may think likely to render it most public. Department of State

I have, &c.

1776 WILLIAM WILSON TO THE GOVERNOR.

Jan. 4. Portsmouth

I beg leave to inform your Excellency a ship of a large size belonging to the Colonies of Carolina or this port. The Colonel is gone through illness unwarranted to us arriving in the harbour. I was applied to by an officer of the Carolina regiment to command and conceived it my duty to give orders to the commander of the Fort not to suffer the Frigate to pass until your Excellency's orders were last known. It is past my duty for the safety I tranquility point out what is most likely the commanders of the British Majesties ships have resolved themselves very different to the citizens of these two states as well as others especially to their property and treasure. Information is made known that there are two of our vessels three French ships of war will meet in the amount of six or seven hundred men.

The British is question. I advised to make up mind any as it would to go through some repairs. consequently the necessary subordination cannot be had by the officers of either party over their seamen. I am therefore very apprehensive in such a case of dangerous consequence. In short I think it very imprudent in the British to throw themselves in a port where there will be so great a majority of people with whom they are at war. for it is not in the power of all neutral ports to keep order or prevent their neutrality. I am sure it is not the case with this.

If therefore they are entitled to repairs in our port I humbly conceive Yorktown, or any other port where there may not be so large a concourse of French citizens, a much more eligible place for them.

I will be very thankful to your Excellency for advice whether the Brigadiers have an existing command over the respective counties, or whether that command is vested in the Lt. Cols. & the Brigadier Generals, confined to the Brigades.

I have, &c.

P. S.—Since writing the above letter, Mr. Riddick delivered you your Excellency's, the contents of which shall be most cheerfully complied with.

W. W.

Jan. 5th

R. QUARLES TO THE EXECUTIVE.

Accompanying this you will receive the customary quarterly returns of military stores and the pay rolls for the different persons employed in the service of the State under my direction, and likewise the contractor's account for rations furnished the Post.

1795.
Jan. 5th

You will observe that the wages are not extended in the pay roll for the militia guard lately ordered by the Executive, which proceeds from a want of information respecting the exact monthly wages allowed them. The Honorable Board will remark in the return of military stores that there is a considerable number of muskets which might be returned all in complete order if their bayonets were ground and polished. This number is daily increasing, and renders a machine for grinding and polishing the bayonets peculiarly necessary. The superintendent thinks, if the Board should deem it expedient to have this machine erected, that it will not cost more than 150 dollars, and perhaps less.

The peculiar circumstances of the people employed by me as gun-stockers renders it a part of my duty to name them to the Executive. They have progressed so far in their business as to have nearly the whole of their wood work in readiness, and have set a number of the barrels into the stocks, and in this situation, from the want of gun locks, their business is obliged to stand. Therefore I feel myself in want of the advice of the Honorable Board to determine me whether I shall stop the artificers now engaged in repairing muskets and fitting bayonets to those already stocked, and depend on purchasing locks for such as may be hereafter stocked, or that I shall discontinue this employment of the smiths and direct their attention to the manufacturing of locks for present use.

I am directed by a petition from my artificers to request that they may be allowed in future to furnish their own provisions, in place of being supplied by a commissary, and that they may have the amount of the same, at the present price of rations, annexed to their pay.

The Honorable Board will observe an application, lodged in the chamber some time past by sundry persons in the garrison, for a privilege to draw rations for their wives. I am solicited to call their attention to it. The names of the applicants are John Heekle, blacksmith, John Maddox, John Sillian and Will Hipkins, all old and deserving soldiers. Trusting that the Honorable Board will furnish me with their decisions on such parts of this communication as to them may appear material,

I have, &c.

Timothy Pickering to the Governor.

Jan. 6th

War Department

A ship called Les Jurneaux, (or the Twins) Captain Ruault, armed and equipped in the port of Philadelphia as a cruizer, contrary to our neutrality and the law of the United States in such cases provided, has lately escaped from the river Delaware. It appears by the report of the officers employed to seize her, that she sailed from Bombay Hook the 2d instant.

The proof is positive that the ship has been unlawfully fitted out as

[illegible] above mentioned. A description of her and her equipments, so far as [illegible] is ascertained. As the necessity of [illegible] prevented her commodore from equipping her in such manner as to commence an immediate cruize, it is probable that in order to complete them she will put into some port in the Chesapeake or other port in the United States.

It is therefore the request of the President of the United States that you will cause the requisite measures to be taken for seizing the above mentioned ship, with her tackle, furniture, and stores, and also for apprehending the Captain, together with such of his officers and men as have participated with him in violating the laws of the United States.

I have, &c.

[illegible] JOHN MCCULLOCH TO THE GOVERNOR.

[illegible] county Since I wrote last to the Executive, the Indians killed two men and wounded another on our frontiers. They were killed on December the 7th inst. I have dismissed all the men that was under my command at the expiration of the old year agreeable to my instructions, and have sent the pay abstracts and muster rolls on to your Excellency, and hope that the Executive will send us our pay if possible, and if the rangers is to continue another season, it would be of infinite service to have them on station earlier than they have the two years past, as the Indians had every Spring been hunting near our frontier, and have often done mischief before the rangers could be ready to take a scout out any distance.

I conclude, &c.

[illegible] JOSEPH KENT TO THE LIEUTENANT-GOVERNOR.

In the year I was appointed as contractor for the Troops on the S. W. Division I received an assurance from General Yoe who served [illegible] as assistant in making the assurance from the Executive, that I should receive a considerable sum in advance to forward the business I [illegible] should be some peculiar circumstances I have been engaged [illegible] in the application for this advance and have been [illegible] the whole amount of subsisting a Regiment at various times [illegible] which the whole [illegible] and [illegible] in advance in [illegible] [illegible] Under these circumstances I have thought [illegible] address the Executive Board of such necessary supplies [illegible] as they may think [illegible] to be [illegible] [illegible] & the [illegible] [illegible] I trust they will [illegible] as [illegible] and will make such order as to them may [illegible] [illegible]

[illegible] &c.

R. Quarles to the Governor. 1795.

Under the embarrassing circumstances of the Treasury's want of money, I have made application to the Treasurer to interpose and paliate as he can the inconvenience of my disappointment, by authorizing any person who has monies to pay into the Treasury to receive my warrants in lieu thereof. Jan. 7th

The Treasurer hesitates and wishes the advice of the Honorable Board whose decision on this subject will readily determine the value of my warrants.

I am, &c.

Edmund Pendleton to the Governor. Jan. 8th

My neighbor, Mr. Garret, has requested me to introduce him to you for the purpose of procuring a testimonial that Mr. Chapman & Mr. Broadders who certify his deposition as Justices of Caroline, with the State seal, to render them useful to him in a Southern State, whither he is going in pursuit of some slaves which he suggests have been wrongfully carried away.

I have, &c.

William Hartshorn to the Governor. Jan. 8th

In conformity with the law for establishing the Bank of Alexandria, I now enclose you a statement showing the balance of the books of said bank.

I am, &c.

Balance of the Books belonging to the President, Directors and Company of the Bank of Alexandria, taken January 8th, 1795: Jan. 8th

Dr.		Cr.	
To Bills and Notes, discounted,	289,059 05	By Stock,	150,000 00
Cash,	119,165 14	Deposits,	51,396 19
Bank House,	3,293 72	Bank Notes issued,	156,780 00
		Post Notes issued,	44,815 75
		Dividends—No. 1,	16 00
		Ditto 2,	180 00
		Ditto 3,	5,895 00
		Profit and Loss,	2,113 39
		Discount,	321 58
	$411,517 91		$411,517 91

Bank of Alexandria, January 8th, 1795.

GURDEN CHAPIN, Cashier.

1795. THOMAS MATHEWS TO THE GOVERNOR.

Jan. 9th I do myself the honor of enclosing for the information of your Excellency the correspondence that has passed between the British Consul, resident at this place, and myself, respecting the admission of two ships of war into the harbour of Norfolk. From the instructions lodged with me by the late Governor Lee, I have been induced to grant the requests made by the Consul. I hope it will meet your approbation.

I am, &c.

Norfolk, January 3rd, 1795.

Sir:

The instructions I have received make it necessary that you state, as far as the circumstances of the case will permit, the repairs that will be wanting to the ships you mention to complete them for sea.

Your information on this head will be necessary before I can grant the permission you require.

I have, &c.,

THOMAS MATHEWS.

The Honorable John Hamiton.

Sir:

Not having received any positive information of the damage sustained by his Majesty's ships—Thetis and Cleopatra—I am unable to state to you what repairs they may require; tho' it is possible as the Thetis was on shore and lost her rudder, she may have sustained much injury, and as the Cleopatra was aiding the Thetis in getting out her guns, that she has also received considerable damage which cannot at present be described. However, Sir, you may rest assured that nothing but the most absolute necessity will compel them to come up to Norfolk.

I have, &c.,

JOHN HAMILTON.

British Consul's Office, Norfolk, Va., 4th January, 1795—General Mathews.

Sir:

His Majesty's sloop of war Lynx is arrived, and is brought to at the Fort. As she has on board a number of stores, &c., belonging to the Thetis, I have to request that you will order her to be permitted to pass by the Forts, that she may land the articles above mentioned, after which she will proceed immediately to Hampton Roads, as I have not heard that she has suffered any damage.

I am, &c.,

JOHN HAMILTON.

British Consuls office, Norfolk, Virginia—Brigadier-General Mathews. 1795.
7th January, 1795. Jan. 8th

Norfolk, 8th January, 1795.

Sir:

The application made for the admission of the Lynx ship of war into the harbour of Norfolk cannot be complied with. The regulations respecting the admission of public ships of war strictly forbid the approach of any unless in cases of injury sustained: in such cases only they are for the purpose of repair.

I am, &c.

THOMAS MATHEWS.

Honorable John Hamilton.

THOMAS NEWTON, JR., TO THE GOVERNOR. Jan. 11th

Enclosed are copies of letters I received from the French and British Consuls. The animosity subsisting between these nations is so great that I apprehend disturbances may arise among them, which the civil power may be inadequate to quell. Your Excellency's advice will confer an obligation on me in what manner we are to act, the Major having been sick as next eldest aldermen at present, I have acted, which was the cause of my having the above letters.

If we could be allowed a subaltern guard, I think it would be a means of keeping peace and order.

I am, &c.

Mr. Calvert will deliver this. I beg to refer you to him.

Norfolk, the third year of the French Republic one and indivisible, Jan. 11th
7th of January, 1795.

Sir:

The people composing the crews of the English Frigates at present in this river, having last night repeated the insults of which I have complained to you last Monday, together with the commander of the division of the ships of the French Republic moored in this harbour, I am compelled to reiterate my most pressing prayers, that the most efficacious precautions may be incessantly taken against the provocations of the English, accustomed to violate the rights of nations. It is not known if passing as they did last night on the cable of the Flute Le Cocke, they had the intention of cutting it or of setting the ship on fire; but we can but ill-conjecture of such proceeding, we are more so authorized to blame it, that the century of the Flute Le Cocke seeing the English boat coming on, hail her 3, 4 & 5 times without wanting to an-

1795. Jan. 11th

swer, which obliged the century to fire his shot on the boat, who at last went off uttering all the injuries which characterize this nation enemy of the human kind.

This conduct of the English crews, making us forsee accidents for both parties and for the town of Norfolk itself, it is the duty of my office to participate to you my fear on this subject, and to solicit all your care to avoid the unhappy consequences that we have to fear for the general tranquility.

Please, Sir, I beseech you to take into consideration my representation, and to be well persuaded that on my side I shall neglect nothing of what may depend on me for contributing to respect the neutrality of the United States.

My respects, &c.

OSTER.

Citizen Newton.

Sir:

I have received your letter containing the complaint made to you by the French Commandants of the ships lying here which is perfectly groundless. There was no British officer absent from his ship on the evening alluded to, except Capt. Cochran, who came on shore in a four-oared cutter in company with the harbour master (Capt. Proby) and myself. A small shore boat rowed by two negroes, which took me off to the Thetis, returned at the same time, but had only on board the two negroes, and should you think it necessary to inform yourself further on this business, I have to refer you to Capt. Proby. I am well satisfied of the good intentions both of the British officers and seamen to preserve the peace of the Borough, and I beg you to be assured that no endeavours shall be wanting on my part to promote the public order.

I hope that on your's, you will use every exertion to prevent insults being offered by the French to the British in this port, a conduct which has been too often repeated.

I am, &c.

JNO. HAMILTON.

British Consul's Office, Norfolk, Virginia, 7th of January, 1795.

Jan. 14th

Norfolk

THOMAS NEWTON TO THE GOVERNOR.

A David Raybourn whom I formerly wrote your Excellency about, a seamen taken by Lynx, British ship of war from on board a Danish brig bound to Boston, having claimed the right of an American citizen,

1795. Jan. 14th

General Mathews applied to the consul and has had him brought on shore to prove himself an American, but is so unfortunate as to have no acquaintances here that knows him. A Thomas Black swore before me, that he was well acquainted with a place called Nelson's Ferry on the Santee, S. Carolina, where Raybourn says he was born, and knows that there are several of the name there, but knew not Raybourn. Raybourn was sworn in the most solemn manner and cautioned not to perjure himself, and much deliberation used on the occasion, declared that he was born in the parish of St. John on the Santee, S. Carolina, and that his father's name was Richard R. He was questioned about situation of places which he described with accuracy. A Mary Tuft swore that he lodged with her about four years ago in this place, and had a quarrel with English sailors about his being an American, but did not know whether he was or not. In my opinion, from his own oath, I believe he is, but the British Consul thinks the proof insufficient.

You Excellency will please advise me what I am to do on this occasion. The man I keep confined in gaol until I know your pleasure, which I hope will be by Tuesday next at farthest. My own opinion is that the proof should lie on them that he is a British subject, as many American's can not, like this poor man, prove his nativity in a strange place.

This opportunity offering suddenly, I have hastily committed this, and beg you send me a copy as I have not time to take it with your advice thereon.

I am, &c.

James Wood appoints Wray Moss, Public Jailor, for the District of Prince Edward.

In Council, January 14th, 1795.

It is advised that the auditor be desired to prepare as soon as possible the account against the United States for the Western Defence, in order that they may be presented to the Secretary at war by Colonel Steele, who is going to Philadelphia, and will attend to the settlement thereof.

February 6th, 1795.

It is further advised that the auditor be directed to prepare a statement of the expenses incurred by the state for the Smithfield expedition, to be presented to the Secretary at war for reimbursement.

March 23d, 1795.

On consideration of Col. Steele's report of the terms on which certain printing work may be done in Philadelphia.

1795. Jan. 14th

It is advised that he be empowered to contract upon the best terms he can for translating one thousand copies of the acts directed to be printed in the German language, and for the printing of three thousand copies of the military regulations for the use of the militia, and that he be authorized to apply so much of any public moneys which may come to his hands in defraying the expense of the aforesaid work and his own expenses as may be necessary.

Extracts from the Journal.

Attest:

A. BLAIR, C. C.

In Council, March 18th, 1795.

It is advised that an express be immediately dispatched with orders to Brigadier-General Biggs (if he conceives it necessary) to call into immediate service eight scouts for the protection of the county of Ohio, and six for the county of Harrison. That the Brigadier give the most pointed instructions to the scouts against offensive operations for the present, but that they be vigilant in discovering the approach of the enemy, in which event, he will call into service a sufficient number of the militia to oppose them effectually under the invasion law.

It is also advised that similar authority be given to Brigadier-General Tate to order out fourteen scouts for the defence of the frontier of his district.

Extract from the minutes.

Attest:

A. BLAIR, C. C.

Jan. 14th

Proposals for Printing.

Proposals by Mr. Kamerer:

1,000 copies. Translating the Acts of Assembly, printing, &c. at 12 dollars per sheet. They will take between six and eight sheets.

Baron Steuben's Military Instructions on a small type, 90 pages; half bound 35 cents; with the articles of war annexed, 51½ or 3s. 11d. Pen'a Cur. 7. The whole to be completed in two months from the date of a contract, if required.

By Cist:

Steuben's Military Instructions. 3,000 copies, containing 160 pages. Printed in a conspicuous manner with eight copper-plates, half bound, at 50 cents each copy. Blue Boards, 46 cents each copy. The same printed on a small type, more crowded, containing 90 pages, with eight copper plates, half bound, 40 cents; Blue Boards, 36 cents.

By Bailey: 1795.

3,000 copies. On a large type in half binding or Blue Boards, 55 cents each: on a small type with eight copper plates, 45 cents. Finished in two months. Jan. 14th

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In Council July 14th, 1795.

On consideration of a memorial from a number of the Justices of Norfolk and alderman of Norfolk Borough, representing the peculiar situation of the inhabitants of the place on account of the frequent migrations of the negroes and people of colour, and stating the measures they intend to pursue for sending them out under the law.

It is advised that the Brigadier of the District, be directed to order out thirty militia for the Town of Norfolk, and twenty for Portsmouth under proper officers, in order to prevent any disorder or insurrection that might arise from the measures proposed.

Extract from the Journal.

Attest:

A. BLAIR.

W. PRICE TO JAMES WOOD, LIEUTENANT-GOVERNOR. Jan. 15th

Agreeably to an act of the General Assembly passed at their last session, the Executive are authorized to allow the Register two clerks in addition to his former salary. To prove the great necessity of its being done, it need only to be observed that the business of the office has actually increased more than double within the last year to that of any within three prior thereto, and in all probability will continue so to do from the number of Land warrants which have been granted within twelve months past, amounting to upwards of eight million of acres. By having recourse to the report made by the committee that examined the Land office, it will shew the number of surveys unacted on at that time; the whole of which I am to carry into grants, &c. Since the first of December (which was about the time the committee finished their examination,) 620 surveys have been received into the office, exclusive of other business which must naturally occur. These circumstances alone, I humbly conceive, will fully justify the allowance which is left discretionary with your Hon'ble Body. Land office

I am, &c.

The auditor's respects to Lieutenant-Governor Wood, and begs to know whether the Executive judge it necessary to retain copies of the vouchers relating to the Western Insurrection and the Smithfield Expedition.

Auditor's office, 19th Jan'y, 1795.

1795. ALEXANDER CAMPBELL, ATTORNEY-GENERAL OF UNITED STATES, TO THE LIEUTENANT-GOVERNOR.

Jan. 19th Richmond

I received your letter of yesterday respecting the mariner at Norfolk, who complains of unlawful detention by a British vessel of war. I must observe in the first place, that as yet this case hath not assumed a National aspect. Neither Mr. Newton nor the British Consul appear to have anything to do with it. The injury, so far as it hath proceeded, is of a private nature, and may be redressed by private means; indeed, it can be redressed in no other way. Any citizen of this or the United States, complaining of an unlawful detention by any person of private or public character within the limits of the commonwealth, is entitled to a writ of habeas corpus, which the chancellor or any judge of the district court is empowered to grant in vacation. The complainant is thereupon brought before the judge, and the Party detaining him is commanded to shew the grounds of his detention.

The evidence before the judge will determine him, either to enlarge or remand the prisoner. If the prisoner hath not evidence sufficient at the time, and supposes that he can obtain such evidence at a future day, he may, upon giving surety, obtain a writ de homine replegiando which will bring the case regularly before a court in the form of an ordinary action, and, in the meantime, the plaintiff will be at Liberty. The only event in the progress of these remedial proceedings, which can involve either this or the British nation in the controversy, would be a refusal on the part of the officer of the British vessel to obey the process of the civil authority; but this is not to be presumed, and indeed in the present case cannot happen, as the Mariner is already out of the power (tho' by my improper means) of the officer who detained him.

I have, &c.

Jan. 24th ALEXANDER CAMPBELL, ATTORNEY-GENERAL OF U. S., TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Richmond

I am honored with your letter of yesterday. The papers transmitted to the Executive by Governor Mifflin, require the delivery of the person therein described as a fugitive from justice. He can not be bailed here because he is in no respect amenable to the civil authority of this State for the offence which he hath committed. Both the Law of Congress and the Constitution in pursuance of which it was made, require that he be delivered over to the State demanding him, or its agent. Bail therefore upon both grounds is inadmissable.

As to the case of the deserters from the British ship of war at Norfolk, I have at present only to observe that it is a subject which does not

belong to the subordinate magistrate. It is a branch of imperial right pertaining, as I conceive, to the Supreme Executive department of the State. The magistrate cannot apprehend a deserter upon the application of a foreign power or its officer from whom he is said to have deserted, but the application of such foreign power or officer ought to be made directly to the Supreme Executive Council. 1795. Jan. 24th

My opinion is that if such an application were made by the proper authority, the State would be bound by the principles of the law of Nations to deliver up the deserter. But this opinion is not formed upon any positive dictum, but is merely deduced from general principles. It therefore would seem best to wait until a direct specific application for a decision upon the subject.

I have, &c.

THOMAS NEWTON, JR., TO JAMES WOOD, LIEUTENANT-GOVERNOR. Jan. 25th

Your favor enclosing Mr. Campbell's opinion I received. It will save me much trouble to have nothing to do on such occasions, but I will venture to say if no other mode of relief is to be given to the American seaman (than by a habeas corpus), who is impressed in the British service, that we shall have none left to man our vessels if the war continues two years. It is now difficult for a person to give information of his being on board a British ship of war, and how will it be in the power of any to complain to a judge of the District Court, without money, without friends, the poor citizen seaman will languish, and in many instances be obliged to assist in oppressing his country by taking our vessels. I hope some speedy mode may be adopted for their relief. Whenever a complaint has been made to the British Consul before this of Raybourn, he always returned the complainant, but in this instance a proof was required of his native place. Norfolk

I am, &c.

The Cleopatra and Lynx sailed from this port yesterday. I have heard nothing of the L. Jeaneaux; suppose she is at sea.

JOHN PENDLETON TO THE LIEUTENANT-GOVERNOR. Jan. 28th

The claims of the State on the General Government for further expenses incurred and paid in the defence of the frontiers for the year 1793 and part of the expenditures for 1794, will be ready for transmission to-morrow. Auditor's office

I am, &c.

1795. WM. C. WILLIAMS TO THE GOVERNOR.

Jan. 30th Mr. Blair handed me to-day a copy of a resolution or advice of the Executive, allowing me ninety dollars for attending an Escheator's inquest in the County of Berkeley, which I must now beg leave to return you, and at the same time permit me to observe, that when I agreed to attend the Escheator's as council on behalf of the Commonwealth, I understood him as agreeing to pay me twenty-five guineas, as that was the lowest that I would agree for, it being at the distance of fifty-five miles from my house, and at a time when it was very inconvenient for me to leave my other business, it being a few day's preceding the District Court holding at Winchester and the commencement of the chancery.

I therefore can not accept any smaller allowance, but would rather prefer receiving no compensation for that, (as in future I shall be at liberty to act as I please), than to receive what I consider as inadequate to compensate me my time and trouble, as also a less sum than what I stipulated for.

I am, &c.

Feb. 1st THOMAS NEWTON, JR., TO JAMES WOOD, LIEUTENANT-GOVERNOR.

Norfolk I received your letters of the 25th and 28th ultimo with Mr. Campbell's opinion. Mr. Larelle is ready to be delivered, but in my opinion detained contrary to Constitution of United States. As no unusual punishments are to be inflicted by that (therefore bail allowed), except in certain cases, this man may lie six months in goal, and where can he get redress for such an injury?

I agree with him in the case of the deserters, and shall never more trouble myself with complaints from the British, but must observe that if the principles of the law of nations is to bind us, they should also be bound. They take our men out of our ships by force in many instances, and if any one should desert our service and enlist with them, they are sure to find protection.

This, sir, is a matter (with the case of Raybourn) of so great consequence in the commercial line, that I could wish it represented to the general government for some rule to go by.

I shall send the pay roll as soon as I get it from the officer.

I am, &c.

Feb. 2d THOMAS NEWTON TO JOHN HAMILTON.

Norfolk I should before this have answered your letters respecting the seamen, but waited for advice thereon, which I have since received, where-

in I am informed that I have no power to act, being a national concern. The law only provides for mariners in the merchant service, in which the power of justices is described. 1795. Feb. 2d

I am, &c.

"As to the case of deserters from the Brittish ships of war at Norfolk, I have at present only to observe that it is a subject which does not belong to the Subordinate Magistrate. It is a Branch of imperial right, pertaining as I conceive to the supreme Executive department of the State, the magistrate cannot apprehend a deserter upon the application of a Foreign power or its officer from which he is said to have deserted, but the application of such foreign power or officer ought to be made directly to the Supreme Executive Council."

D'r Sir,

You now see that it is not the duty of a magistrate to apprehend deserters as you conceived; the above is the opinion of the Attorney-General for this state.

Yours, respectfully.

Sir,

I have this moment received information from Capt. Cochrane that four seamen belonging to his Majesty's Ship Thetis, who have deserted therefrom, are now secreted at the house of one Scott at the corner of Church street; their names are inserted in the margin—David Masterton, James Stoover, John Ermett, Robert Boun.

These men having received His Majesty's Bounty, and having absconded in a neutral port, I should conceive it to be the duty of the Magistrates of this Borough to exert themselves in seeing them restored to the ship to which they belong; and I therefore beg leave to request that you will be pleased to direct the Constables to search the house of the above-mentioned Scott, in order that the British seamen in question, if they were so concealed, may be produced.

I am, &c.

Council Office, Dec'r 12th, 1794. Feb. 2d

Sir,

Inclosed are the muster-rolls which were required to support the ration abstracts of Mr. John Vanbibber, who had furnished the troops defending the District of Greenbrier & Kenawha with rations, from the 15th of March until the 7th of June, 1794.

The number of rations are stated to be 10,305 as set forth in the enclosed abstracts.

I have, &c.,

SAMUEL COLEMAN.

1795. Council Office, February 4th, 1795.

Sir,

Feb. 2d The enclosed muster and pay rolls of the volunteer militia, commanded by Lt. James McGavock, being the company formerly under the command of Captain James Hawkins, are now duly authenticated.

I have, &c.,

SAMUEL COLEMAN.

Council Office, Feb'y 5th, 1795.

Sir,

A certificate of Thomas Lewis, Esquire, annexed to the enclosed papers, being claims of four scouts, a sergeant, and 7 rangers on the winter establishment for the defence of Kanawha, is the only voucher to support the same; which is respectfully submitted by, sir,

Yours, &c.,

SAM'L COLEMAN.

Feb. 8th EDWARD CARRINGTON TO THE GOVERNOR.

Richmond The Executive of the United States having entrusted to me the agency of co-operating with the Executive of Virginia, in getting to the General Rendezvous of Winchester and Moorefield the militia required for the late expedition against the insurgents, and a plan having been concerted between the Executive of Virginia and myself for that purpose, deriving the whole expenditure of the business from the United States through my hands, I conceive it incumbent on me to communicate to your Excellency any failure on the part of the militia officers, on whom the execution of the business rested, from which expenditures have proceeded without the intended service.

It is on this consideration, that I beg leave to trouble you with some facts relating to the quota of militia called for from General Martin's Brigade. It is known to myself that no part of these troops arrived at Winchester until after the 22d of October, and at that time the expedition was so far advanced, that the Commander-in-chief from a conviction that they could render no service, ordered them to be discharged and paid off. The expence for this object alone was $1,240 65; provisions were also issued to a great amount to carry them home; to these expenses are to be added General Martin's agency account settled with the auditor; the whole expenditure, therefore, has been great to the United States. On the other hand, the service rendered has been none at all thus far as to fact, within my own knowledge. These appear to create a ground sufficently ample for the institution of an inquiry into

the causes of the failure of service, and I have no doubt the Executive would be of the same opinion had we no further information. From General Martin himself, however, I received this further information, that the delay and a considerable deficiency in the number sent out even at the late date, arose from a mutiny or mutinies which happened in one or more of the counties composing his Brigade. The particulars of these mutinies I suppose had better be left to be ascertained from an actual enquiry. It seems that no fines have been imposed in those counties. This appearance arises from this circumstance, that Campbell and Bedford, two of the counties in the Brigade, did proceed to draft their quotas without meeting with difficulty—in these two counties Court's Martial have been held, and the few who failed to rendezvous for marching have been heavily fined, as by reports made according to law to my office—from no one of the other counties have reports been received. The object of this letter is to request on the part of the United States, in virtue of my agency, that an enquiry may be instituted in such way as may appear proper into the causes of the failures which took place in General Martin's Brigade, in relation to the quota of militia required for the late expedition against the insurgents in as much as that the same ought to have been at Winchester by the first of October, and did not in fact in any part get to that place before the 22d of that month. 1795. Feb. 8th

I am, &c.

THOMAS MIFFLIN TO JAMES WOOD, LIEUTENANT-GOVERNOR. Feb. 10th

I have received your letter of the 26th ultimo, informing me that in comformity to the application made to the Executive of the State of Virginia in my letter of the 29th of December last, Joseph Larelle, a fugitive from the justice of Pennsylvania, has been apprehended and committed to the gaol of the burrough of Norfolk, in order that he may be delivered to an agent duly appointed on behalf of this State. Philadelphia

And have now the honor to request that the said Joseph Larelle may be delivered to William Douglass, of Petersburg, in Virginia, for the purpose of being brought into this State, having jurisdiction of his crime.

I am, &c.

Alexandria, 3d February, 1795. Feb. 10th

Dear Sir:

I received from the Executive some time ago sixty stand of arms for the use of a company of Light Infantry under my command, and on the late requisition against the insurgents, the company marched

1795. Feb. 10th as far as Winchester with those arms, and were then ordered to change them for others, which was done, and on our return home we did not come by Winchester, and of course could not exchange our arms again.

I wrote to Governor Brooke for leave to keep those we brought home. but have received no answer, and therefore suppose leave will not be granted. You will much oblige me by inquiring whether on my depositing the arms with the proper officer at Winchester I can get leave to take up the bond I gave for the safekeeping and returning those arms.

Your answer will confer an obligation on,

Yours, &c.,

G. DENEALE.

Feb. 11th

A. Blair to G. Deneale, Esq.

Richmond Your letter of the 3d instant I laid before the Executive, who desired me to inform you that your request to retain the arms you received at Winchester could not be granted, because they belonged to a complete set of French muskets, which they chose should be kept in ye public arsenal. They therefore request that you will return them and take back those you gave in exchange for them, or if you prefer it, your bond may be cancelled, provided you satisfy the Executive that the arms you now have, as well as those you gave in exchange for them, are delivered to those whose duty it will be to return them to the public. The expense of returning the arms will be a proper charge against the General Government.

Yours, &c.

Feb. 11th

Ben. Blunt to the Governor.

Southampton As there has lately been a cruel and wanton murder committed in my neighborhood by John Williford on Josiah Worrell, and the said Williford having made his escape so that he cannot be apprehended by the officers of this county, I have taken the liberty to enclose to your Excellency a copy of three affidavits. If you will take the trouble to read them as they are numbered, the matter will be clearly before you. The last that I have heard of Williford was about five or six days after the murder was committed. He was then about eighty or ninety miles on his way (as is supposed) to the State of South Carolina or Georgia, or perhaps he may stop in the State of North Carolina.

As this is an atrocious offence against all law, I hope I shall stand excused for soliciting your assistance in apprehending and bringing to a full and fair trial this offender. Whether this will be best afforded by a

proclamation and reward offered in the public papers, or otherways, you will be best able to determine. 1795. Feb. 11th

I send you also a description of said Williford.

I am, &c.

The affidavit of Jacob Turner of full age, who being sworn on the Holy Evangelists of Almighty God, deposeth and sayeth, That on the 21st day of the present month, January, a warrant in behalf of the Commonwealth of Virginia was put into his hands to execute upon the body of John Williford, in order to compel him to find security for his personal appearance before the next court to be held for the county of Southampton, and there to abide the sentence of said court, in a matter concerning a base born child which Elizabeth Pope had on oath charged him, the said Williford, with begetting on her body, and that by virtue thereof, he Jacob Turner did summon Simon Pope, Josiah Worrell, and Benjamin Worrell, Jr. to aid and assist him in executing the said warrant, and in the evening of the same day he with his assistants did get near the house where Williford lived (it being then nearly dark), and in order to prevent any dispute that might arise, sent Benj. Worrell to see and converse with Williford, but as he tarried at the house, he with the other two men went up. The door was shut, and on Williford's asking Worrell who was with him, he, Turner, replied, "I am here." Williford made no reply. He was then going round to the end of the house to get to a window in order to speak to Williford, and before any other word was spoke either by himself or any of this company, just as he got to the corner of the house, a gun was fired from an upper window, and heard some person say "damn you, take that," which he believes to be the voice of John Williford, and immediately Josiah Worrell complained of being wounded.

This deponent further sayeth that he saw part of the person who fired the gun, but cannot say positively who it was. But as the voice came from the said upper window he verily believes it was John Williford.

This deponent sayeth that no violence was used, or any attempt to force open the door or any part of the house; nor any threatening words used by himself or any of his assistants.

This deponent further sayeth that all care and attention was paid to Josiah Worrell, who was carried to the house of a man who married his sister, at about three miles distance; that a surgeon was applyed to who attended, and that he was informed that Worrell died of his wound on the 23rd instant; and further this deponent sayeth not.

(Signed) JACOB TURNER.

Done before me this 27th day of January, 1795.

(Signed) BEN. BLUNT, J. P.

1795. Feb. 11th

The affidavit of Benjamin Worrell, Jun'r, of full age who after being sworn on the holy Evangelist of Almighty God, deposeth and sayeth, that on the 21st day of the present month—January—he was summoned by Jacob Turner, a constable for Southampton county, to aid and assist him in executing a warrant upon the body of John Williford. And between sunset and dark on the same day they got near the house where Williford lived. The officer with Josiah Worrell and Simon Pope who were with him stayed behind, and he went up to the house to see Williford, supposing (as they had had some conversation about Elizabeth Pope's bastard child a few days before) that he could prevail upon him to compromise the matter in an amiable manner, and on his getting to the house, the door being shut, he called to Williford who was in the house, and Williford asked him if he was come on account of Betty Pope's child. Worrell said he was. Williford replied: "I will be damned if I do not kill any man that comes upon that account," and said to some person in the house, "Hand me my powder and shot." And by the rattling of a gun with the ramrod, &c., Worrell believed he then loaded the gun. Some conversation however took place between this deponent and Williford, and at length Williford asked him if he had any person with him. Just at that time the officer came up and said, "I am here." No other words passed after the officer spoke, but he (Worrell) heard some person step hastily across the floor of the house, soon after which he heard the report of a gun at the end of the house. Josiah Worrell complained of being wounded. This deponent went to him, and immediately the officer, with Josiah Worrell and Simon Pope, went off.

This deponent further sayeth that as soon as the gun was fired he heard some person say, "Damn you; take that," which he verily believes to be the voice of John Williford, who he was well acquainted with, and that there was no attempt made to force open the door or any part of the house, nor any threatening words used by the officer or any of his assistants until they had got about 15 or 20 yards from the house. Simon Pope said: "I will be revenged for this." Williford replied: "Come back, and I will give you more." After this he (Worrell) left the house and went with Josiah Worrell to William Newton's, who lived at a distance of about three miles.

A surgeon was applied to, who attended and extracted several of the shot, and that every attention was paid to Josiah Worrell, but that he died on the 23rd instant; and he believes and is fully satisfied that he did die of the aforesaid wound. And further this deponent sayeth not.

his
(Signed) BENJAMIN B. ⋈ WORRELL.
mark.

Done before me this 27th day of January, 1795.

(Signed) BEN. BLUNT, J. P.

1795. Feb. 11th

The affidavit of Simon Pope of full age, who, after being sworn on the holy Evangelist of Almighty God, deposeth and sayeth: That on the 21st day of the present month, January, he was summoned by Jacob Turner, a constable of Southampton county, to aid and assist him in apprehending John Williford, who was charged with having begot a bastard child by Elizabeth Pope, and between sunset and dark of the same day, himself, together with Josiah Worrell, Benjamin Worrell, Jnr., and the officer got near the house where John Williford lived, when Benj. Worrell was directed by the officer to go and see Williford and have some conversation on the subject. Benj'n Worrell was gone some small time, when they all went up to the house. The door was shut, and on hearing some person step hastily across the floor of the house, he, Pope, ran around the house expecting to find another door or window thro' which Williford might make his escape. On finding neither door nor window on the back side of the house, he was returning to the front side, when he saw the flash of a gun from an upper window in the end of the house, and heard some person say "damn you, take that." He could not see who fired the gun, but is clear in the belief that the person who spoke was John Williford, with whom he is well acquainted. Immediately after the firing of the gun, Josiah Worrell, who had not before spoke a word (after getting to the house), complained that he was wounded, when the officer and himself retired with him, and after getting a small distance from the house he (Pope) said, "I will be revenged for this," and spoke loud enough to be heard to the house. John Williford replied: "If you are not satisfied, come back and I will give you more."

This deponent sayeth that there was neither force nor threatening used until after the gun was fired, nor then only as above related. He then assisted in getting Worrell to William Newton's, whose wife was sister to Worrell, and that though every assistance possible was rendered, Josiah Worrell did die on the 23rd instant, and that he is clear of opinion that he died of the wound received on the 21st instant.

(Signed) SIMON POPE.

Done before me this 27th day of January, 1795.

(Signed) BEN. BLUNT, J. P.

A Description of John Williford.

He is of a fair, tender complection, gray or blue eyes, brown hair, about twenty-three years of age, and about five feet, ten inches high, well formed and is thought to be strong and active. He has followed teaching school for a livelyhood; he is fond of being well dressed.

1795. THOMAS NEWTON TO JOHN HAMILTON, ESQ.

Feb. 17th I have sent Capt. Calmet and Mr. Brannan unto you to relate the circumstances of last night's outrage, it is of such a nature that I request the officers and men may be delivered to our laws, the part I saw of it was late after they got into the boat when I heard several times the word fire called out.

I am, &c.

Feb. 17th Monday Night, Feb. 16th, 1795.

About half after nine o'clock, after the watch had left me, I continued at the Market house, and a short time after I saw a number of men passing near Mr. Tucker's Store, and from appearance were all armed. I followed them until they came near Mr. Farrer's Store, when I fell in near the rear of them and asked them what their business was and what they were about to do, they made no answer, but I heard an officer in front say come on. I was then shoved by one of them into the Ditch. After this I followed them to the corner of Church Street, where they stopped, and set a Guard on one end and in front of Gavin Scott's house, and then one of them knocked at the door, and was asked by the people of the house, who was there and what he wanted. He said he wanted a glass of grog. I did not see them go in the said door, as I had left them and ran to Mr. Watlington's to command assistance. I returned immediately and a part of them with their officers were in the said Scott's house and about to go up stairs. I asked Mrs. Scott if she admitted them to search her house. She answered no, and seemed much alarmed. I made answer that I would know whether they had a right or not, and going out of the door a man who I believe was an officer ordered the men who guarded the gate to stop me, and two of them immediately took me by the collar and drew their swords and fixed them near my breast. I told them I was Captain of the Watch, and insisted to be set at liberty, but was kept prisoner until an officer came and gave them orders to set me at liberty, which they immediately did. Mr. Jessey Ewell coming up at the same time and seeing them armed and very abusive and making use of the words, "damned Yankee Boogers" to all who spoke to them, he immediately ran to inform Mr. Savage Calvert, but they had set off on their return to Mr. Burke's wharf. Mr. Calvert, Mr. Ewell and myself and others came down to Col. Newton's and informed him of the mob and their behaviour. After this I went on my duty. Nothing else material happened. Watchmen on duty, Thomas Baker, Alex M. C. Daniel and Daniel McDarmand.

JOHN BRANAN,
Capt. of the Watch.

Sir: 1795.

I was favoured with your's and am sorry that the man who died Feb. 17th on board his Majesty's Ship Thetis lay out of your jurisdiction. I have, however, wrote to Capt. Davis, of Portsmouth, on the subject, who I dare say will do what is proper on the occasion. I have just received a letter from Capt. Cochran in answer to mine of the 17th current, respecting the delivering up the officers and seamen, who it is said, committed an outrage in the Borough on Monday night—he refuses to deliver up either, and holds himself responsible for their conduct having acted entirely under his orders and instructions.

I am, &c.

JOHN HAMILTON.

British Consul's Office, Norfolk, Feb. 19th, 1795, Thos. Newton, Esq.

The deposition of John Marnix of lawful age—being sworn, he sayeth, that on Monday night, the 16th inst., about the hours of nine and ten o'clock, he was stopped by a party of British seamen in the lane opposite Mr. Dricol's door, who violently seized him, swearing that he was an Englishman, that they had often seen him before and that he belonged to their ship, the Thetis, and should go on board with them; that on his opposing them, they beat him very much and he persisted in endeavoring to take him on board, but he made his escape in the crowd.

JOHN MARNIX.

Feb. 17th, 1795.

The Deposition of Alex'r McConnel, of lawful age—being sworn, he sayeth, that he was at the house of a Mrs. Sheldrake looking after his men, when a party of men armed from the ship Thetis came in and told Mrs. Sheldrake that they understood some of their men was in the house. They took the candle and went up stairs and searched the house.

ALEX'R McCONNEL.

Feb'y 19th, 1795.

The Deposition of Robert Steed—being of lawful age and first sworn, he deposeth and sayeth, as he was going up to his lodgings he saw a party of men at Scott's door, and heard Mr. Branam of the watch say, he would soon make them, and in a short time I will know who you are—they having him by the collar at the time; he then advanced up, when he found them armed. He discovered the officer lifting up his arm to strike Scott. The deponent seized him, drew him down into the Ditch, and asked him what he meant by being there in the manner he

1795. Feb. 17th

was. He said he was after some of his men who had deserted from the ship Thetis, and intended to insult no man; that the Capt. had ordered him on the expedition—he having applyed for a warrant to Colo. Newton, which was refused. Capt. Bramble then came up and directed the Drum to beat, and to send for Capt. Calvert; on which the officer flourished his sword over his head, and said, come on, my boys, we defy the Town to take us, and marched down the street. He saw nothing after this—which was about ten o'clock.

ROBERT E. STEED.

Feb. 19th, 1795.

Feb. 18th

JOHN HAMILTON TO THE GOVERNOR.

British Consul's office

Some time ago, Capt. Cochrane, of his Majesty's ship, Thetis, now repairing at Gosport, made complaint to me that several of his seamen had deserted or absconded from the service of the said ship, and were Haboured and concealed in different houses is this Borough, particularly by one Scott; in consequence of which, I wrote a letter to Col. Newton as Chief Magistrate—a copy of it is enclosed No. 1. His answer to mine is also enclosed No. 2, for your Excellency's perusal and information; by which it appears that the Magistrates of the Borough have no right to take cognizance of the complaints made by any of his Brittannic Majesty's officers in such case, or to grant them the aid of the civil powers in securing delinquents from any of the ships. This doctrine is to me novel, and I submit the matter to your Excellency's consideration, and I beg to be informed whether the state of Virginia grants protection to such men, or whether I am obliged to apply to the Executive Council in Philadelphia for a warrant to apprehend a sailor who may desert from a ship in the Harbour of Norfolk.

In order to have a full explanation on those points, I will be happy to have the honour of an interview with your Excellency accompanied by His Majesty's officers here, and such of the magistrates of the Town as you may think proper to convene, that some mode may be adopted to prevent misunderstanding, and to do away all party matters which I am sorry to find have prevailed so long here.

It ever has been the strict rule of my conduct and inclination in the discharge of my duty to act on all occasions in the most conciliatory manner, and I should be happy that some line could be drawn so as to unite the officers of both countries in the impartial discharge of their duty, that peace and tranquility might be established in the borough, which is so essentially necessary for the happiness of all concerned.

I have, &c.

JOSEPH JONES TO THE GOVERNOR. 1795.

I received your letter of the 7th instant yesterday, requesting me to transmit the account of the expenses of my Brigade for the Western Expedition as soon as possible. It would have been done before this, but I have had the scarlet fever, and so has the whole of my family, and as soon as they get so that I can leave them, I will immediately come over and settle, which I hope will be in a week or ten days. Feb. 19th Petersburg

I am, &c.

THOMAS NEWTON TO THE GOVERNOR. Feb. 19th

On Monday night last, Captain Cochrane, of the British ship of war The Thetis, sent a party of armed men with an officer into this borough, who committed many outrages by entering the houses of the citizens and searching them, for some of their men as they said. They also seized the Captain of the Watch, and took him into their custody for some time, and impressed a native of this place in the street, violently beat and wounded him. A copy of his deposition I enclose. Their conduct was such as alarmed many of the inhabitants, and called me out of bed about 11 o'clock, when I found they had run off and got into their boat, with a number of sailors and others throwing stones at them, many of which I heard strike the boat and oars, and I am informed that one of the seamen is since dead of his wounds. I demanded the men who committed the outrage, but Captain Cochrane will not deliver them. A copy of the Consul's letter on that subject is enclosed. I shall be glad of your Excellency's advice on so important an occasion. A party of Frenchmen, armed with muskets, were coming down on them, who immediately withdrew at my request. I heard the word fire given in the boat several times. By Mr. Bennet Boushe's description, a party was on shore on Sunday night. Norfolk

I have, &c.

Gosport, February 18th, 1795.

Sir:

I had the honor to receive your letter of yesterday's date covering one from Col. Newton, the acting chief magistrate of Norfolk, complaining of an outrage being committed by some of the officers and seamen belonging to his Britannic Majesty's ship, Thetis, under my command, and requesting to have them delivered to what he calls our laws.

Previous to receiving your letter, I intended coming over to Norfolk in order to complain to the magistrates of the attack made upon a party of my people, whom I had sent over in order to look after some of my seamen that had absented themselves from their duty, and from infor-

1795. Feb. 19th

mation I had received, were drinking in some of the Public Houses in this town; which service they executed without any insult being given to the inhabitants of Norfolk, and had got into the boat to return to the ship when they were violently assaulted with stones by a mob that I now find was headed by the acting chief magistrate of Norfolk; the consequence of which has been that one man has lost his life and three more are severely wounded. You may judge of my astonishment at also being informed that this magistrate (Colo. Newton) was heard to direct the mob to murder all the people in the boat, and it is said assisted in throwing stones at the party.

I have therefore to request that you will apply to the coroner of the county of Norfolk to have the body of the deceased examined previous to interment, that those guilty of the murder or accessory thereto may suffer the punishment they deserve. Colo. Newton says in his note he repeatedly heard the word "fire" given. In this he is right. One of the seamen in the boat did call out "fire" in order to make the mob retreat, and it had a good effect for a few seconds to procure a cessation of hostilities. But finding that no resistance was made, the Colo. and mob returned to the charge in a manner that will ever do him the highest honour.

I have further to observe on this head that there was not a musket in the boat, nor any fire-arms except a pistol in the possession of each officer.

It is hardly to be credited that the chief magistrate of a borough, whose duty it was to keep the peace, should be the first to break through those very laws it was his province to enforce; nor can I account for it in any other manner, than suspecting he wished to favor those villians called crimps that infest this town, and who have already seduced away near thirty of my seamen and mariners. His conduct on a late occasion evinces this very clearly, no punishment having been inflicted on that constable who had in possession Robert Rowan, one of my seamen, when taken up by a warrant from Dr. Taylor, and wilfully allowed to escape.

Col. Newton declares to you in his letter of the 2nd instant, that he has no power as a magistrate over deserters from a foreign power. By what he terms a foreign power, I suppose he only means Great Britain. He must be ignorant of the laws which unfortunately he is made a judge of, not to know that the treaty between this country and France expressly stipulates that deserters are to be given up, and he also must be also totally ignorant of the laws of nations not to know that it has ever been an invariable custom where no treaty exists between two powers, all matters similar to the present are determined in conformity to any treaty then extant; indeed it is often been more pointedly carried into execution with respect to those powers not having treaties, the custom of other nations determining the points in controversy.

It is a notorious fact that when the French Fleet were here, some

English seamen, then prisoners on board, made their escape on shore. Col. Newton then conceived himself vested with sufficient power, not only to grant a warrant for their apprehension, but went himself and saw them bound hand and foot, carried down on Frenchmen's backs and actually delivered into the boats, a conduct unparalleled in the history of the most savage nation, much more a country so enlightened as this is. Before this one instance, I never heard that protection had been refused to a prisoner making his escape, particularly a prisoner of war. 1795. Feb. 19th

With regard to delivering up the officers and men, that is out of the question. They acted from my orders in looking for those men who were absent from the ship, and no complaint has been exhibited against them of having transgressed the laws of this country while employed on their duty within the limits of this town. If Col. Newton claims no power over persons of the above description, I take it for granted that he can have no power to prevent me from using my endeavours to bring the said persons back to their duty, unless he publicly declares to all those in the service of his Brittannic Majesty, who choose to desert or leave their duty, that they will be protected by the Magistrates of Norfolk. In the event of this, I shall beg to be informed by what law he offers such protection. If the men I had in view were not deserters, but merely putting off their time in rioting and drinking in a public house, do you conceive I was not doing my duty, and duty, he as magistrate, ought to be sensible of, to send for to restore those men to their service and the duty of their stations.

Colo. Newton states to you that application must be made to the Imperial power; pray does he mean the Government of this State, or the Supreme Government of the United States; if the latter, which I suppose he must mean from the term Imperial, which I never knew to be made use of before in a Republic, in order to have a man who absents himself from his duty taken up, I must memorial the Secretary of State at Philadelphia, which, from the distance and the usual delays of office, would at least require one month before an answer could be received; during which period, it is unnecessary for me to say that the warrant, if granted, would come too late to be of any service.

I am exceedingly sorry to take up so much of your time on this subject, but the shameful conduct of Colo. Newton in so avowedly stepping forward to persecute those belonging to Great Britain, who are so unfortunate as to fall within his power, while he winks at every outrage committed by the French, who are here just now or have been in this Harbour, demanded of me—being so explicit as I have been, and I shall be very happy now that the Governor of this State is in Town—that

1795. Feb. 19th you would forward to him a copy of this letter, that he may see matters in their proper light, and not through the medium of Colo. Newton.

I have, &c.,

ALEXANDER F. COCHRANE.

John Hamilton, Esq'r, His Britannic Majesty's Consul for Virginia, at Norfolk.

Sir,

I did myself the Honour to address you yesterday. I have now the honour to enclose to you, at the request of Capt. Cochrane, a copy of his letter to me for your perusal.

It is with great pain I mention to your Excellency the Death of one of the Seamen belonging to His Majesty's Ship Thetis, occasioned by a wound he received on Monday night while in that Ship's Boat, from one of the inhabitants of Norfolk; and that another seaman lays dangerously ill.

I have, &c.,

JOHN HAMILTON.

British Consul's Office, Norfolk, Feb'y 19th, 1795.
To the Governor.

Feb. 19th

WILLIAM CLENDENIN TO THE GOVERNOR.

Agreeable to your Excellency's Letter, which I had the honor of receiving the 20th of Jan'y last, have discharged my company. The necessary papers relative to their services will be transmitted to you by Mr. Edward Tupper, who I expect will be paid as express—having been detained a considerable time by my request for this particular purpose.

I hope, sir, the mustering of the men at different Periods will not be an objection to their drawing wages from the date of their enlistments. I can assure your Excellency, that I made use of every possible exertion in my power to complete their muster for entering into service at as early a Period as possible.

I hope, sir, and do flatter myself, that the money for our services will be forwarded to us as soon as the state of the Treasury will admit. The men are much dissatisfied that they remain so long unpaid after the service is rendered, and complain further that the money ought not to be left in Greenbrier, but brought into the county and paid to the officers and soldiers residing in it by the Pay-master. If this difficulty is not removed, the soldiers will have to travel some two hundred miles, none less than 80 for his just due. I hope your Excellency will take it

into consideration, and direct the men to be paid by the Pay-master where they rendered the service, at least those living in the county. 1788. Feb. 18th

I have, &c.

THOMAS WILSON TO THE GOVERNOR. Feb. 20th

I enclose to you the ration abstracts, Nos. 1, 2, 3, 4, 5. I have rece'd no ration abstracts for the detachments commanded by Lieutenants Evans and Wells, nor that part of Captain Bogard's company commanded by himself. I likewise enclose Captain Lowther's pay abstract and muster rolls, No. 1. Ensign Coburn's Do., No. 2. Ensign Jenkins' Do., No. 3, a pay abstract and muster roll for eight scouts, No. 4, Captain Lowther's account vs. Conice, No. 5; Lieutenant Evans' pay abstract rolls, No. 6. Morgan Town

The other returns shall be forwarded as soon as they come to hand. I have been informed that you have received the returns from Ohio.

I am, &c.,

WILLIAM MCCLEARY TO JAMES WOOD, LIEUTENANT-GOVERNOR. Feb. 21st

I am requested by Lieutenant Lewis Morgan to inform you that the five Indian prisoners that he took last fall on that expedition he and his men made to the Indian Town, are yet in his custody, and he knows not what Government means to do with them. The expence of maintaining them hath yet been defrayed by him. He prays that you, as a member of the Executive Council, would lay this his application before the Board, and that their resolves respecting the whole of this business, as well how they are to be disposed of, as also how the expence of their maintenance is to be paid, may be sent him by the bearer, Mr. Joshua Warman. One of the women offers to go to her own country this spring if permitted, leaving the others hostages until she returns, at which time she promises to bring an equal number of white prisoners from the Indians to exchange for the Indians that are left; but this, Mr. Morgan could not comply with without the advice of the Executive Council, being at the time they were taken an officer in public service, and therefore considers them as state prisoners. Morgan Town

I am, &c.

WILLIAM LOWTHER TO THE GOVERNOR. Feb. 21st

I rec'd your Excellency's instructions dated the last of December, and have noted the contents thereof. In conformity thereto you will Harrison county

1795. Feb. 21st herewith receive the necessary papers and documents, in order that the money may be forwarded. I discharged the Scouts and Rangers immediately under my command on the first of this instant, and as Colonel George Jackson, who was appointed by the Executive to muster the Rangers of Harrison was on the Assembly, I called upon Capt. John McCally to perform that duty which he did. This I thought would be more proper than to continue them in service till Colonel Jackson returned.

I have sent you also though Thos. Wilson, Esq., Jonathan Coburn's papers as well as my own, together with the papers of eight scouts of this county, and also two ration abstracts, one for Ensign Coburn and his men, and one for myself and eleven men including our own additional rations as officers. You will discover they are made out in our own names, as there was no person who was authorized to furnish us with rations by the Executive within one hundred miles of us, except while on the Ohio river, therefore we had to become contractors ourselves. I flatter myself the papers are all properly authenticated. If there is substance, I hope your Excellency will not be so particular as to form. They are indorsed and numbered. No. 1 contains my pay abstract, muster rolls of eleven men immediately under my own command. No. 2 is Ensign Jonathan Coburn's and thirty-two men's pay abstracts and muster rolls. No. 3 is the eight scouts pay abstracts and muster rolls. No. 4 is the ration abstract for myself and eleven men. No. 5 is Ensign Coburn's ration abstract for himself and thirty-two men.

I beg leave to mention that our scouts and rangers have rec'd no compensation for their two last year's services. Whereas, those other counties in the district have received a partial payment. The papers for 1793 for this county, both for Scouts and Rangers, have been already forwarded to the Executive and I have understood they were in form, &c.

In the course of last summer, I was under the necessity to procure a large Canoe or Penragua to carry ammunition to the different ports on the river Ohio, and have accordingly charged the same to the State. The paper containing the account thereof, and the certificate of Ensign Coburn on oath is marked No. 6. I hope your Excellency will see the propriety of allowing me for the same, &c.

I have, &c.

Feb. 25th

JOHN HAMILTON TO THE GOVERNOR.

British Consul's office, Norfolk

I have just had the honor to receive your Excellency's letter of this date, informing me that my communications of the 18th and 19th instant to you shall immediately on your arrival at Richmond be sub-

mitted to the consideration of the Executive Council of the State, and that the result shall be transmitted to me. 1795. Feb. 25th

In reply to that part of your Excellency's letter which respects the conversation betwixt us on the subject of deserters from British ships in this port, I can only repeat what I then observed that I should consider it a part of the duty of the Magistrates to grant warrants at my request for the apprehension of seamen absconding from ships of my nation which may be within the ports of this State, since it is certainly consistent with the laws and customs of nations, that a Foreign Public Officer resident in a State from the Supreme authority of which he has received his Exequatur should be supported by the Magistracy thereof in the execution of his official duties, without which aid he can not fulfill them, and any attempts that he may make to perform the requisities of his appointment may be rendered nugatory. In order, however, to have so important a point more fully ascertained, I shall transmit a copy of your Excellency's letter to His Majesty's Minister at Philadelphia, that he may, if he thinks proper, enter into some determination on the subject with the Executive, and that some definite line may be drawn to prevent any further misunderstanding of this nature. I shall, therefore, for the present take leave of this subject, by assuring your Excellency that I am convinced it is no less the wish of all His Majesty's Officers than my own, to pay perfect obedience to the laws of the United States whilst within their jurisdiction, and to avoid every act which tends to violate them or to disturb the public peace.

In respect to the complaint lodged with the Executive of the United States which has been transmitted to your Excellency, relative to the capture of the French Corvette L'Esperance by His Majesty's Ship Argonaut, I must observe that according to the best information with which I am furnished, no contravention of any existing Treaty of the United States has taken place by that capture, as the Corvette was taken ten leagues from the land, and the Argonaut was forced by stress of weather to return to the Chesapeake with her prize, in which bay the continuance of the stormy weather compelled them to stay some days, but from whence they departed as soon as possible. Had not this been the case, the desire to release on parole the French prisoners taken by the Argonaut on board L'Esperance (which has been done), would surely have been admitted as a very unobjectionable motive for the coming of those ships into the bay.

I have, &c.,

ISAAC ZANE TO THE GOVERNOR. Feb. 28th

Your letter of the 7th inst. came to hand by last post, which arriving but once a fortnight, I suppose prevented my receiving it earlier. The

1795. Feb. 28th

quota from the 7th Brigade being called for in small detachments to rendezvous at Winchester when severally ready, has caused the vouchers for their supplies to be dispersed in different hands with which I have not yet been furnished, and my confinement by a continued indisposition for upwards of eight weeks past, during which time have not been down stairs and rarely able to walk across the room, has prevented my personal attention, otherwise the amounts should have been forwarded some time since. I shall immediately send a messenger to have said vouchers collected and the accounts closed and forwarded as soon as possible.

My first commission as County Lieutenant of Shenandoah (then Dunmore county, concerning which you wrote me when in Richmond) bears date the 28th day of May, 1794.

I have, &c.,

Mar. 2d

J. Marshall to the Governor.

The contest between the Commonwealth and Mr. Fairfax, depending in the Court of Appeals, will come on of course for decision at the next term. As I am not certain whether the title of citizen purchasers may be considered as precisely the same with that of Mr. Fairfax, I deem it incumbent on me as the counsel of that gentleman, and hold it a duty to those purchasers not to be dispensed with to assist their title.

I have therefore prepared the enclosed bill, which I am to file in the Court of Chancery. As expedition seems to me to be unquestionably the interest as well of the Commonwealth, as of those who think their plain rights improperly suspended, I take the liberty to enclose the bill to you, Sir, for your perusal, with a hope that the officers of the Commonwealth will be directed not to await the process of subpoenas and attachments, but to bring the question to a fair decision on its merits at the next term. I should not venture, Sir, to make this proposal if I did not suppose it to be the wish as well as interest of the Government to have the immediate use of the property in contest if its title shall be good.

With, &c.

Mar. 3d

A. Lewis to the Governor.

Campbell county

I am now on my way to Richmond to settle my public accounts, but hearing by Capt. Bowyer that Mr. Steele had not returned from Philadelphia, I have thought it most prudent to return home and wait until I hear of his arrival at Richmond, hoping that your Excellency will give me early notice of it. If necessary that General Tate should be noti-

fied, if forwarded to me, I shall immediately send it to him. I am much distressed on account of the money I have advanced for the benefit of the troops. 1795. Mar. 3d

I am, &c.

J. DAWSON TO THE GOVERNOR. Mar. 3d

The long expected and glorious news is at length arrived. Success has attended the exertions of men fighting for freedom in every quarter. Philadelphia

The enclosed papers detail many important events which have taken place, particularly in Holland and Spain, and leave us at a loss which most to admire, the invincible courage or the magnanimity of our Republican allies.

It is not difficult to foresee that these events will have great influence on the politics and commerce both of Europe and America.

With much respect,

I have, &c.

TO THE GOVERNOR. Mar. 3d

Josiah Vick, collector of Southampton, prays remission of fine of $57 13 for failure to return account of Revenue Tax of 1793, owing to his sickness.

Will Harris asking for indulgence to Josiah Vick in his settlement of Rev. Tax for 1793, and remission of damages on account of sickness.

Robert Goodwyn asks indulgence for Capt. Vick in his settlement of Rev. Tax of 1793, and remission of Damages on account of sickness.

J. DAWSON TO THE GOVERNOR. Mar. 5th

The papers enclosed to my care on my leaving Richmond were, soon after my arrival in this city, delivered respectively. A copy of those to the Sect'y of State, has, I learn, been sent to the Minister of the French Republic. It is presumed they will be satisfactory to that gentleman, tho' no answer is yet received. Philadelphia

On to-morrow I expect to have a personal interview with Mr. Fauchet, and then shall be able to give you more particular information.

A few days ago, Colo. Steel delivered to me the advice of our board relative to this business, which had been forwarded to him by the Lt. Gov'r. This has been given to the Sc't'y of State, but as it is not signed by the Clerk, nor stamped with anything which gives it authenticity, it

1795 will really serve that I cannot be mistaken. If this was done it might
Mar 9th be of advantage as it shows the sentiment of the members of that board
as well as gives it your Excellency's approval in your mind.

With much personal regard
I have &c.

Mar 9th

Council office

The enclosed papers being Capt. Lowther's pay-abstract and muster-rolls, together with a return account for almost a sergeant and ten privates whose services are said to commence the 15th of March 1794 and to end the 1st of January 1795 and an account of a party again furnished by Capt. Lowther for use of the United States: Ensign Coleman's pay and muster rolls and ration abstract for a detachment of Capt. Bryan's company consisting of the said Ensign a Sergeant Corporal Drummer and twenty-five privates whose time of service was the same as that of Capt. Lowther: Ensign Jenkins' pay and muster rolls and ration abstract for a detachment of Capt. Lowther's company consisting of the said Ensign two Sergeants two corporals and twenty-one privates, whose time of service was the same as above; and the pay and muster rolls of Capt. Lowther's summer command of eight Scouts, whose time of service was also the same, are all duly authorized and authenticated.

The other accompanying papers are account's exhibited by Doctors Baird, White, and Hilliard—all respectfully submitted by

Your, &c.

Since my conclusion of this report as above, I have discovered an omission of Lieutenant Evans' detachment of Capt. Lowther's company on the pay and muster rolls, of which duly authenticated are also enclosed, by which it appears that the said Detachment consisting of the Lieutenant, two Sergeants, two corporals, and twenty-six privates, were in service from the 15th of March until the 1st of November, 1794. The date of the certificate of muster on discharge is dated on the 9th of February, 1795.

SAM'L COLEMAN.

Mar. 9th

Staunton

MORRIS AUSTIN TO JOHN STEELE.

Pardon the liberty I have taken in Transmitting to you the Decision of the General Court-Martial of the 32nd Reg't on a case of review, in not having performed the late Tour of Duty against the western Insur-

gents, together with Capt. Robert Grattan's deposition which I have caused to be taken before a Magistrate, as there was no Judge Advocate at the Court-Martial to take down his evidence there. I consider myself much aggrieved by the sentence, and I trust the Deposition of Capt. Grattan will be sufficient inducement for you to view it in a similar Light. If therefore, under the militia Laws, or Substantial Justice, I can obtain any redress, I hope you will be so obliging as to lay my case before the Executive, and if the fine cannot be remitted, I trust another Court-Martial will be ordered when I may have it in my power to offer such defence as the nature of the case requires, which will confer an additional obligation on— 1795. Mar. 6th

Your, &c.

At a General Court-Martial of the 32nd Reg't of Virginia Militia in the county of Augusta, holden the 12th day of December, 1794:

Morris Austin of Capt. Robert Grattan's company of cavalry; his situation with respect to performing his Tour of Duty in the late expedition against the insurgents being somewhat conditional, and he not appearing to make any defence, the court, after hearing a statement of the matter from Captain Grattan, are of opinion that he be fined in the sum of sixteen dollars.

An appeal prayed for—Captain Grattan, witness.

From the journals of the court.

A Copy—Teste:

VINCT. TAPP, C. C. M.

Sometime in September last previous to my going on the expedition against the western insurgents of Pennsylvania, I called a meeting of my troop of cavalry to know how many could turn out as volunteers to accompany me in case we should immediately get marching orders. At that time Mr. Morris Austin spoke to me when I first mentioned it, and told me previous to the men's turning out, that if he could get a suitable person to do his business as a sheriff, he would go, but otherwise he could not possibly do it, as his business and of course his securities might suffer by his absence. I mentioned to him to turn out at all events, and if he could not get the person he mentioned, I did not suppose it would make the least difference; neither could I suppose him bound further than conditionally, and I afterwards know that he made endeavors to procure a man to go in his place, as he could not go himself, and did I not think I was at that time bound to return the whole of my company that did not go, I should not have made the return. And I do not remember, but I might have made at the time some mistake concerning the day on which the court-martial was sat, when I spoke to Mr. Austin about it.

R. GRATTAN,
Capt. Staunton Cavalry.

Staunton, March 6th, 1795.

1795. JOHN STEELE TO THE GOVERNOR.

Mar. 8th A letter from my friend Col. A. Campbell to me dated the 23d of January last, contains the following observations, which I take the liberty of submitting to you, viz:

"I am told that the Executive of your state is to appoint fit persons in conjunction with the state of Kentucky, to run the boundary line between the two states."

"If the sense of the Legislature of Virginia of 1776 be sought for, there are no persons now living that I know of can better explain that than Judge McDowell of Kentucky and myself. And perhaps Mr. Jefferson may remember something that passed in the committee that brought in the bill. Mr. George Mason and Mr. John May (although no member), were acquainted with the reasons for fixing the limits of the then county of Kentucky."

With, &c.

Mar. 9th J. DAWSON TO THE GOVERNOR.

Since the letter which I had the honor to address to your Excellency, I have had frequent interviews with the minister of the French Republic, and have just reason to conclude that he no longer doubts of the good wishes of the Executive of Virginia towards his nation.

A supposed, or perhaps a real neglect in answering the representations of the Consul at Norfolk, may have been construed into an inimical disposition.

The treaty which has been made by Mr. Jay for this country with Great Britain, was on Saturday evening delivered by Capt. Blany to the Secretary of State, and its contents will, I presume, remain in the Cabinet until the 8th of June, when they will be submitted to the Senate for their approbation or rejection.

I have, &c.

At a court continued and held for Loudoun county on Tuesday, the 10th day of March, 1795:

William Ellzey, Junior, Gentleman, Surveyor of this county, came into court and resigned his office as such. It is therefore ordered that it be certified to the Masters and Professors of William and Mary College that William H. Harding is a person of honesty, probity and good demeanor, and a proper and fit person to be by them commissioned as surveyor of this county, and that he has for some time acted as a deputy to the said William Ellzey.

Copy—Teste:

CHAS. BINNS, C. L. C.

The memorial of the inhabitants of Russell county to His Excellency the Governor, and the Honorable Privy Council of Virginia, March the 11th. Anno Domini 1795: 1795. Mar. 9th

We beg leave to lay before your Honorable Body our unhappy situation, to whom alone we have reasons to hope for reliet. The season of the year is now approaching in which we have reason to expect our frontiers to be invaded by our avowed enemy, the Indians. Since the first settling of our country we have not escaped their scourge for one year without seeing our country laid waste, and our helpless women and children a prey to their vindictive rage. It would be too tedious for to call your attention to the number of us who has experienced that never-ending melancholy sight of returning to our houses from our labours and finding our families lying breathless, and yet bleeding from the scalping knives, until our late Governor and Council wisely, and happy for us, covered our frontiers with their troops, known by the volunteer militia, in the spring of 1792, and were continued to December, 1794, during which time peace, in a great measure, blessed our land, for, by the vigilance of those troops, the approach of the enemy were generally discovered, or if any of them by any unavoidable accident got into the settlement undiscovered and accomplished their perpetrated murders, never escaped without rendering life for life and restoration of property. Not hearing of the return of those troops, and the season near at hand that we may expect to experience the unhappy misfortunes too recent yet to many of us, tho' prior to the year 1792, we are induced to trouble your Board with this memorial, hoping that, tho' our situation is not personally known by many of your Honorable Body, you will not lend a deaf ear to us, nor put our lives in competition with money. In a very short time the defenceless position of our fronties will be known to the enemy, on which we have every misfortune to dread. Experience has taught us by the many attempts that has been made to protect the frontiers, that none has proved so effectual in procuring us peace as that of the volunteer militia.

Hoping that your Excellency and the Honorable the Privy Council will take us under immediate consideration and grant a return of the same kind of troops, conducted by the same officers, under whose protection we can put confidence, and we in duty bound will ever pray.

Caleb Friley, James Dickerson, Richard Long, John Morton, Henry Donnighe, Oliver Hughes, Silas Delanary, Wm. Smith, John Marshall, John Flannary, James Flannary and others.

ANDREW COWEN TO THE GOVERNOR. Mar. 17th

I beg leave to acquaint your Excellency of the situation of our county. We now lay prostrate to savage cruelty which annually they proceed to commit depredations on our frontiers. But I hope our doubts will be Abingdon

1795. Mar. 17th

removed, from the agreeable news communicated to me by our representatives of the last session, that your Excellency had most graciously condescended to have a compleat protection on our frontiers, in which I hope your Excellency will put in practice. There is only one doubt in my mind: the aforesaid will be omitted, though I hope when you weigh that matter it will be no objection. There appears by report a general establishment of peace with the Indian tribes, but, sir, it has ever been our unhappy lot, either in war or peace, to be subject to savage cruelty. Provided the majority of the nation be in peace, there will be a party of those savages that will not be subject to their rules, and knowing we are unguarded will proceed to commit depredations on our fellow citizens.

I further beg leave to acquaint your Excellency my opinion what protection would be adequate to our relief: One company of volunteer militia, the commanding officer a citizen of our county, in which I consider his vigilance would be more attached to his fellow citizens; in which the citizens of this county would conceive themselves highly honored in your Excellency's condescending to their request in the privilege of nominating their officers, on this case, as they conceive there has been great neglect in our former officers not paying due attention to their office. Provided your Excellency thinks it not expedient to grant the aforesaid redress, I further pray to grant us scouts on our frontiers. I think six would answer the purpose. I further think it advisable to acquaint your Excellency that there is a petition in contemplation for a guard for our frontiers, in which are these words, "to continue the former officers," in which the people seem much displeased, although a number hath signed the same at a public place where the people was assembled together, some being intoxicated with liquor, others not understanding but we were to have the officers in our own county, in which a number appears to be imposed upon; they have thus urged upon me, being the commanding officer of this county, to apply for redress upon just and equal rights.

I am, &c.

Mar. 18th

JOHN MCCULLOCH TO THE GOVERNOR.

Ohio county

I received your letter of the 23rd of December, but not until the first Monday of this month, but had previous thereto sent by Mr. McClung pay abstract and muster roll so far as I expected it was needful, but now have sent to Mr. Wilson the muster roll of the muster of my men into service by General Biggs, who was appointed to muster them, and have kept a duplicate of each, agreeable to your Excellency's instructions.

We have had accounts here that the Indians have killed a man this Spring between Muskingum and Little Kanawha, and killed another and took a prisoner somewhere about Scioti.

I hope that the Executive will forward our pay as soon as possible. 1795.
I do subscribe myself, &c. Mar. 18th

N. B.—If it can be done, send my money by Thomas Wilson, Esq., and oblige your Excellency's, &c.

The petition of Joseph Chew, late Deputy Sheriff, under William Mills, of the county of Spotsylvania, prays a suspension of an execution against him till the 15th of May for a further examination of the books returned by Commissioners to Auditor's Office.

Edward Herndon, Deputy Sheriff of Spotsylvania, certifies that he held an Execution vs. William Mills, for balance of taxes for 1789; that the same was assumed by Joseph Chew, another Deputy, whose land was sold for the debt and bought by said Chew on a credit of three months, and bond and security given for which he holds Execution for Principal, Int. and costs.

Certificate of John Herndon as to the sale of Joseph Chew's land bought in by said Chew, at which sale Herndon was present.

JOHN STEELE TO THE GOVERNOR. Mar. 20th

Your's of the 12th inst. and the papers enclosed with it were received yesterday. Philadelphia

Your letter to Colonel Monroe I put into the hands of Mr. Swan, who promised to send it by a vessel of his bound for France in a day or two.

The settlement of our accounts progresses slowly. The gentleman specially employed on the business frequently meets with difficulties—and which I have hitherto been able to explain away.

With, &c.

Philadelphia, 8th of March, 1795.

Sir:

Your letter to me of the 28th ult. and the several papers inclosed with it were received yesterday. Permit me to assure you that I will take pleasure in making the enquiries wished by the board, and reporting the result as early as possible.

The settlement of the accounts progresses slowly. The Secretary has now under consideration a report from Mr. Howell relative to objections arising from informality and deficiency in vouchers, and I flatter myself he will so dispense with the rules of the office on that head as to remove every difficulty. They will then be taken up from the commencement of 1790, exhibited in one general statement, and rescued from that con-

1795. Mar. 20th fusion from which perhaps has arisen most of the objections made to them.

I mentioned in a letter to Mr. Blair, that the orders of Council could not be found. Of course it was in some measure asserted that they never were in the office. They, however, on a suggestion of mine, have since been found filed in the Governor's letters which covered them. It is probable that by the next post I will be able to give you more certain and more satisfactory information.

I have, &c,

JOHN STEELE.

Philadelphia, Feb. 25th, 1795.

Sir:

I rec'd the public papers by Mr. Dawson—immediately laid them before the Secretary at War, and this morning obtained the promise of the Accountant Howell that all possible attention and dispatch shall be given by him to the business. General Wood's letter of the 15th inst. came to hand this morning. Its contents shall be attended to.

I am, &c.

JOHN STEELE.

The Governor.

Philadelphia, 13th Mar., 1795.

Sir:

A slight indisposition has produced a delay of the report promised in my last letter to General Wood.

I can now only inform you that the Secretary has in a great measure dispensed with the strictness of form in the vouchers required by his predecessor, for the establishment of our account. He seems to think that as the Executive of Virginia were fully authorized to act, that all claims allowed by them, correspondent with their own system, ought to be admitted as good against the General Government.

You may expect to hear from me by next Post some information relative to the printing referred to me.

With very great respect, I am, &c..

JOHN STEELE.

To the Governor.

Philadelphia, March 16th, 1795.

Sir:

The enclosed papers will show you the terms on which the printing referred to me can be done, and it only remains for you to be informed that Kamner, a paper maker, and Stiner are now employed by

the Legislature of this State in printing in the German Language. That Charles Cist was formerly employed in that Business. That the same person who translates for Kamner and Stiner, if Cist is employed, will translate for him, and that from every thing I can learn they are equally to be relied on. 1795. Mar. 20th

Cist's copy of Military instruction at 46 cents, I think is the same as that formerly furnished by him to the State of Virginia. That at 36 cents is crowded and dull, and is the same which Kamner offers at 35 cents.

I am, Sir, &c.,

JOHN STEELE.

Governor Brooke.

Proposals by Kamner:

Translating, Printing, &c., the Acts of Assembly at twelve dollars per sheet, in blue boards for 1,000 copies.

Baron Steuben's Military instructions, 3,000 copies on a small type, 90 pages with copper plates half bound, 35 cents each; with the articles of war annexed, 5s. ½d. or 3s. 11d. Pen. 7, Cur. 7. To be completed in two months from the date of a contract.

By Charles Cist:

Steuben's Military Instructions, 3,000 copies, containing 160 pages, printed in a conspicuous manner, with eight copper plates, half bound at 50 cents; in blue boards, 46 cents.

The same printed on a small type more crowded, containing 90 pages, half bound, 40 cents.

By Baily:

For 3,000 copies on a large type in half binding or blue boards, 55 cents. In a small type, &c., 45 cents. To be finished in two months from the date of contract, March 16th, 1795.

N. B.—In the papers of this date signed by Charles Cist, containing proposals for translating, printing, &c. the Acts of Assembly, he refers to Specimens A & B. By specimen A he means a large type; by B a small one.

Kamner supposes the Acts will take six or eight sheets. Cist seems to think they will take up from fourteen to twenty. It is probable the estimate of the latter is most correct.

JOHN STEELE.

No. 1. An act for appropriating the public revenue, passed 20th December, 1794.

No. 2. An act for further continuing and amending the act entitled

1795. Mar. 20th

an act for reducing into one the several acts concerning executions, and for the relief of insolvent debtors, passed 10th of December, 1793.

No. 2. An act to continue and amend the act (No. 2. 1793) passed 24th December, 1794.

No. 3. An act reducing into one the several acts concerning the fees of certain officers, and declaring the mode of discharging said fees and county levies, passed December 19th, 1792.

No. 3. An act for amending the act entitled (foregoing act), passed December 4th, 1793.

No. 4. An act to reduce into one the several acts directing the course of descents, passed December 8th, 1792.

No. 5. An act amending the act, No. 7, passed December 5th, 1794.

No. 6. An act for regulating conveyances, passed December 13th, 1792.

No. 6. An act to amend the foregoing act, December 25th, 1794.

No. 7. An act reducing into one the several acts concerning wills, the distribution of intestates estates, and the duty of executors and administrators.

The translating, printing, and binding in boards is charged at the rate of 40 cents; specimen A., same; 35 do., specimen B. The number to be done 1,000 copies.

CHARLES CIST.

March 16th, 1795.

Mar. 21st

THOMAS MIFFLIN TO THE GOVERNOR.

Philadelphia

I have the honor to inform your Excellency that William Douglas having declined the service, I have appointed Lawrence Maher, of the city of Philadelphia, as agent on behalf of the State of Pennsylvania, for the purpose of bringing Joseph Larelle into this State, having jurisdiction of the crime for which he was apprehended in Virginia on my requisition on the 29th day of December, 1794.

Your Excellency may be assured that on principles of justice and humanity, I will do everything in my power to expedite a decision on this case; and I have no doubt the prisoner will receive in Pennsylvania all the indulgence that the law permits.

I have, &c.

Mar. 23d

RALPH WORMELEY TO THE GOVERNOR.

Rumgill

My indisposition prevented me from holding the sheriff's court in person on the 16th to elect a representative for congress. I was obliged to get Mr. William Roane to represent me on that occasion. He will attend

to-morrow the other sheriffs from the different counties in the district at King & Queen Courthouse to compare the poll, and will inform your Excellency who was the elected person in this district. 1785. Mar. 23d

With every consideration of respect, I remain, &c.

DANIEL BEDINGER TO THE GOVERNOR. Mar. 25th

I compliance with your request when I last had the pleasure of seeing you, Mr. Cowper and myself called upon the captain of the French Corvette (taken off the capes last January), and requested from him a statement relative to the circumstances of his being captured. He at first appeared willing to comply with our wishes and promised to meet us the next day for that purpose, but did not however appear. He was afterwards again applied to severally by Mr. Cowper and myself, when he discovered a degree of unwillingness for which we could not readily account, observing at the same time that he had immediately on his arrival at this place, rendered to the French Consul a full and circumstantial account of that transaction. Norfolk

The enclosed paper may perhaps throw some light on this subject. This deposition would have been taken and forwarded sooner but that I had not before an opportunity of seeing the deponent.

I am, &c.

Borough of Norfolk, sct:

Personally appeared before me Daniel Bedinger, an Alderman of the Borough aforesaid, Thomas Butler, pilot, of lawful age, and being duly sworn on the holy Evangelist of Almighty God, deposeth and sayeth: That some time on or about the beginning of January last (he does not recollect the particular day), he (this deponent) went out to sea in his pilot boat in quest of vessels; that on the second day after passing Cape Henry, he spoke and boarded the ship Harmony of Baltimore, from France, bound to Norfolk; that soon after he had taken charge of her as a pilot, the British ship Argonaut came up with and made a prize of the said ship Harmony; that he (this deponent) remained on board the Harmony and piloted her (under the direction of the captors) into Lynhaven Bay, where the Resolution (commanded by Admiral Murray) and several other British vessels were riding at anchor; that Admiral Murray ordered the said ship Harmony to be carried to Bermuda from Lynhaven Bay aforesaid, when she had been brought to an anchor, and that he (this deponent) saw written instructions to that effect; after which he was carried on board the Admiral's ship, where he was detained four days in order (as he was informed) that he might not give timely information of the foregoing particulars.

And this deponent further sayeth: That on his arrival in Lynhaven

1795. Mar 25th

Bay as before related, he there found property moored the French sloop of war Lesperance a prize also to the Argonaut: that he understood from the officers and people on board the Resolution that the said sloop of war had been taken some days before, brought to where she then lay and there rained or appraized that the Admiral took her to himself at the said valuation or appraizement, and that the said prize sloop of war Lesperance was then and there manned and fitted for a cruise.

He further declares that offers were made to him this deponent by the Admiral himself to engage as a pilot for said sloop of war during her intended cruize on the coast, which offers he this deponent rejected; and that when he was at length permitted to leave the Resolution in order to return home, the said prize sloop of war Lesperance was still moored in Lynhaven Bay.

And further this deponent sayeth not.

Given under my hand this 24th day of March, 1795.

DANIEL BEDINGER.

A Quarterly Return of the ordnance and other military stores at the Point of Fork arsenal under the direction of Robert Quarles. March 25th, 1795:

16 inch mortar, 1; 6 pounder, 1: 4 pounder, 1: Howitzer, 1: Piece of iron cannon, 1; Muskets in good repair, 2,138: muskets with rough bayonets, 2,237; old muskets out of repair, 972: muskets stocked since last quarter, 102—total newly stocked, 417; number of French muskets returned from Winchester which want cleaning and some repairs, 2,450; number of cartridge-boxes returned from Winchester, 2,221; pickers and brushes, 400; musket worms, 2,939: screw-drivers, 132; artillery swords, 805; Grenadier swords, 293; cartridge-boxes in good order, 6,212; old cartridge-boxes, 928; barrels of gun powder, 7½; kegs of lead, 40; case shot of different sizes, 181; round shot, 263; reams of cartridge paper, 30; cannon tubes, 436; barrels of flints, 18; pounds of ball and shot, 1,650; number of musket locks manufactured, 417; number of stocks spliced and repaired, 30; number of wooden canteens, 76.

ROBERT QUARLES, Sup't.

Mar. 26th

W. Wilson to the Governor.

Portsmouth

Yesterday arrived within our Capes two British ships of the line and some others. These ships have made prizes upon the American flag—one from Bourdeaux with specie to the amount of £50,000 sterling, and no other cargo on board, belonging to merchants at Baltimore. They have taken also from Mr. Pennock, of Norfolk, to the amount of

£54,000. I am told that the officers are now in these towns contracting for considerable supplies of provisions. I will thank your Excellency for any orders that may be thought necessary respecting these ships, which with promptitude shall be obeyed by me. 1795. Mar. 26th

I have, &c.

N. B.—It is to be understood that the £54,000 were consignments to Mr. Pennock, but the £50,000 was the actual property of a house in Baltimore.

JOHN STEELE TO THE GOVERNOR. Mar. 26th

Your letter of the —— instant, which accompanied Mann's and Clendenin's rolls, was received by the last post. Philadelphia

Under an impression that your letter respecting the western defence for the present year had been received by General Knox and not seen by his successor, I took the liberty soon after my arrival here of addressing a letter to him on the subject, referring him to your's, which I since found he had not seen.

This led to several conversations with him on the business, and a few days since he informed me that he had answered your letter fully; it is therefore unnecessary for me to say anything farther.

It will require more time than I at first supposed to arrange our account, and I am obliged to be almost constantly with the gentleman who is engaged in it.

I have, &c.

WM. LINDSAY TO THE GOVERNOR. Mar. 26th

On Wednesday last arrived in Hampton Roads three British Ships of War, viz: Resolution, 74 Guns; Argonaut, 64 Guns, and the Cleopatra Frigate—there are several others off the coast. Norfolk

I am, &c.

We understand that they have taken several valuable prizes, among which are the Ship Ceres, of Baltimore, from Amsterdam to Surinam, very richly laden, and another ship belonging to Baltimore, having on board Five hundred thousand dollars under the charge of John Purviance, late of this place. This last ship is taken to Halifax for adjudication.

I am, &c.

W. L.

1795. JOHN STEELE TO THE GOVERNOR.

Mar. 29th Philadelphia

I find that Captain Hawkins' company was mustered on the 20th of May, 1793, and the pay and ration abstracts are made up for the Officers from the first, and for the non-commissioned officers, Scouts, and privates from the 14th of the same month, consequently a deduction of fourteen days' rations from the Officers, six days' pay and rations from the non-commissioned officers and privates, and six days' pay for the scouts, amounting to for pay, sixty-five Doll. 80 cts., for Rations, forty-six Dollars will be made.

The order of council allows the officers six days' pay previous to the muster of the men, but I do not recollect that any allowance is made for the men before the muster. Capt. Lewis has two sets of rolls and abstracts for 1793—one set from the 4th of Dec., 1792, to the 25th of June, the other from the 26th of June, to the 4th of Dec., 1793. His receipts for rations during the former period amount to 762 more than by the rolls he is entitled to draw, and for the latter only one more than he was entitled to. I remember that he either verbally or by letter informed the Board that as often as he sent out patrolling parties, he gave them as many rations as would last them during the command, that by conveying they soon became unfit for use, and that in every case where the parties returned before the expiration of the term for which they had drawn, he allowed them fresh rations. This the Board thought reasonable, but there being no evidence on the papers showing the number, or that any rations issued on this principle, he cannot allow the charge.

If there is any letter, order of Council, or anything in Mr. Coleman's reports which would explain or establish these claims it would be well to send it on. I want also a list of the pay rolls put into Gen'l Tate's hands, specifying the number of officers, non-commissioned officers, privates, and Scouts on each (not the names) to enable me by refering to the rolls here to say whether payment has or has not been made by the State.

In doubtful cases, the secretary is disposed to allow claims where it appears the State has paid them.

The vouchers for Doctor Barrett's claim for dressing Newell is only a bare statement of his acc't without any certificate or order of the Board.

Capt. Bogard's pay roll from the first of April to the 4th of Oct., 1793, is supported by only two rolls of the 6th and 9th of May, signed by General Wood, and both intended for the first muster. I have hopes that another will yet be found among the papers—however, it may not be amiss to enquire if Mr. Pendleton has a copy of the roll for Bogard of the 11th of October, or any subsequent date; if he has, send a copy.

I have, &c.

JOHN ROANE, JR., TO GOVERNOR BROOKE. 1795.

Applying for copies of the revised laws for King William Court and for his own use. Mar. 30th King William

Order from directors of hospital at Williamsburg on the executive for four hundred pounds for use of hospital.

R. QUARLES TO THE GOVERNOR. Mar. 31st

Enclosed I forward the customary quarterly returns to the Honorable Executive, consisting of a general return of the arms and military stores, with pay rolls for the superintendent, artificers and guard, also a half yearly return of clothing for the guards, with a pay roll for the gun stockers. My account current for the disbursement for the quarter, and the contractors account for supplies during the quarter. State Arsenal

Your Excellency will discover that the last item in my account current, is expressive of the sum supposed to be requisite to erect the Bayonet Mill, and as we are peculiarly in want of that machine, I trust you will deem it expedient that this advance may be made.

I am, &c.

BENJAMIN COPLIN AND JOSEPH DAVISSON TO THE GOVERNOR. April 1st

Giving the information that on proceeding to the discharge of their duties as commissioners of the tax for Harrison county, they find from the clerk that there are no land tax books to be found. The lands of the county having never been assessed since 20th of July, 1784, when the county was formed. Harrison county

A large proportion of the lands belong to non-residents who can not be consulted. The commissioners ask instructions from the Executive in the premises.

[The following endorsement is found on the foregoing paper without signature, but apparently in the handwriting of the Auditor.]

"The lands in the county of Harrison ('tis true) have not since it was erected, contributed any thing to the public revenue. No land roll has ever been returned to the Auditor. He supposes the commissioners are embarrassed and have difficulties to meet in the execution of their duty. He thinks they must assess the lands according to the standard belonging to the classes in which that county lies, upon the best knowledge they can acquire of its locality, and the Auditor sup-

1795. April 1st

poses the true sources of information are to the land holders in said county or the register's office, and the office of the clerk of the General and District Courts.'

At a court of oyer and terminer held at Mathews County Courthouse on the Thursday, the second day of April, 1795, for the trial of a negro man slave named George, the property of William Trespass, for opening and entering the store-house of Leven Gayles, on the seventh day of March, 1795:

Present—Thomas Smith, junior, Armistead Smith, Dudley Cary, William Buckner, and Holder Hudgins—Gentlemen.

The above said George, who was led to the bar in custody of the sheriff of this county, and having been arraigned, plead not guilty to the information; whereupon Leven Gayle, witness, having been sworn on behalf of the criminal, and of the Commonwealth and the arguments of the counsel on both sides being fully heard, it is the opinion of the court that the said George be hanged by the neck until he be dead. Therefore it is ordered that the sheriff of this county do execution of the same on Friday, the first day of May next, at the common gallows of this county, and it is the opinion of the court that the said George is of the value of eighty pounds, and that the clerk certify it accordingly.

Ordered, That it be certified to the Honorable the Executive that the said George is an object of mercy, and it is certified accordingly.

A true transcript:

[Seal.]

R. C. JONES, D. C.,
For PATERSON, C. M. C.

April 2d

JOHN STEWART TO THE GOVERNOR.

Richmond

I take the liberty to communicate for the information of the Honorable the Executive that conformably with their determination to commit the compilation of the manuscript Journal of the proceedings of the House of Delegates for the year 1794 to me, I have employed a person for the purpose, who under my direction has made considerable progress.

I find it will take 380 to 400 pages of folios, part written in the usual engrossing hand, and as the person engaged in the business has applied to me for money, I hope to gain the assent of the Executive to an advance of the sum, they shall in their judgment grounded on the statement herein made, because I have confined myself to the smallest quantity of Pages the Journal can require, deem adequate to the work.

I have, &c.

Benjamin Bills to the Governor. 1795.

I have this morning received your letter (official) containing the instructions of the Executive on the subject of the western frontiers' situation, and am of opinion that their protection is at the present very necessary by reason of the disposition of the Indians to hostility, as manifested by recent repeated acts. April 4th West Liberty, Ohio county

About five weeks past a man was killed at Sciota, and nearly at the same period another at the mouth of Little Kenhaway. On Tuesday, the twenty-fourth of March, a small party of hunters fell in with a company of savages, about sixteen miles from the mouth Wheeling, and killed one of their number and put the rest to flight. Had it not been for this circumstance, the frontier must have suffered. They were steering towards the inhabitants, and were equipped for war, and we are likewise well informed that the Indians that come into headquarters give accounts of forty warriors who, they say, have left their towns in the usual manner.

Under these circumstances (tho' we must regret the failure of a Federal provision according to the expectation of our Legislature), I think an appointment of scouts necessary, and I shall execute the authority given me and wait till the necessity shall cease with the greatest anxiety.

The expected negotiation of a treaty will make it our duty to restrain and prevent encroaches, and act in the defensive only, and my orders shall be accordingly.

I am, sir, &c.

A Petition to the Governor. April 6th

Cato Moore, sheriff of the county of Berkeley, prays a remission of damages for non-payment of revenue of 1794, on account of his deputy being called into military service in the insurrection in Pennsylvania, the said revenue, interest and costs being since all paid.

Charles Hay to the Governor. April 6th

Recommending the payment of Mr. Kind's account for transcribing the Index of the Revised Code as reasonable.

James Joins to the Governor. April 7th

William John Thweatt, the person found guilty of horse stealing in the within proceedings, has been tried improperly in the city of Rich- Richmond

1795. April 7th — mond for an offence committed in the county of Dinwiddie, to which place it is requisite by law that he should be sent for legal trial.

I think it my duty to state this circumstance to you, that Government may direct the necessary steps to be taken respecting it.

I have, &c.

April 9th — Morgans Town

Wm. McClerry to the Governor.

I have been honored with the receipt of your letter expressive of your desire to have the abstracts and muster rolls of the militia service for the last year sent on to you. Mr. Wilson, to whom this business was committed, is now in your county, and I presume either hath or will before he returns call upon you with those papers, having collected the whole of them from this county before he set out as I understood.

A letter from the Executive addressed to Colo. Sam'l Hanway was committed to my care by Mr. Courtney, he (Colo. Hanway) not being in Town which I will so safely deliver.

Lieutenant Morgan anxiously waits your resolutions respecting the Indian Prisoners in his care. Suffer me, on his behalf, to solicit you to forward your orders respecting them as soon as possible as he is now (the season becoming warm) obliged to attend upon them least they should run off and make their way thro' the woods to Indian Towns if not met and killed on the rout by some of our foolish People.

I have, &c.

April 10th — Auditor's office

J. Pendleton's certificate of Mr. Temple Elliott's merit as a collector of public monies.

Richmond, April 10th, 1795.

Benjamin Temple recommends Temple Elliott as collector of arrears of Taxes in Brigade District, to which he had been appointed, and offers to become his security.

April 12th — Philadelphia

John Steele to James Wood, Lieutenant-Governor.

Yours of the 4th instant with its enclosures was received yesterday.

The adjustment of the accounts has gone on pretty much to my satisfaction. Mr. Howell, the accountant, resigned on Friday last, and if his successor should happen not to be so accommodating, we will probably have to tread a great part of the same ground over again. I re-

member that the board advised that the officers should be allowed pay six days previous to the muster of the men. This Mr. Blair mentions in his memorandum to me. But no mention is made of any allowance made the men before muster. I have some faint recollection of a proposition for allowing three days' pay before muster. But Mr. Blair's memorandum respecting Lewis' and Caperton's companies for 1793, says, "the men shall be considered in service as soon as mustered." The officers Lewis, Crocket, and Mann made up their pay-abstracts for the men from the dates of their musters, and I am inclined to think that in this they conformed to the spirit of their instructions. Hawkins made up his commencing six days previous to the muster, which six days has been deducted. Several other deductions have been made both as to pay and rations. The muster rolls are made the ground work, and every cent that can be claimed upon them, both as to pay and rations is allowed. 1795. April 12th

You cannot conceive how slow the business progresses, nor can I give any guess when we will get to the end of it.

You may expect in a few days some information as to the printing of the laws and the military instructions.

I have, &c.

SAMUEL A. OTIS TO THE GOVERNOR. April 13th

In obedience to the order of Congress, I do myself the honor to transmit your Excellency a copy of the Journal of the Senate of the United States at the second session of the third Congress. Office of Secretary of Senate of the United States

I shall thank you for a line acknowledging the receipt of the copy.

I have, &c.

ANDREW WOODSON TO THE GOVERNOR. April 13th

The messenger by whom I forwarded the last order of our court respecting the appointment of a sheriff returned a few days ago, but as he brought no information respecting that matter, I presume there was no board while he was at Richmond. If it has been thought expedient to issue a new commission, hope it will be soon forwarded to me by the ordinary conveyance of the post via. Fredericksburg and Alexandria. The commissioners books for the tax of 1794 cannot be acted upon until a new sheriff is appointed, and the present sheriff's deputies are, by their agreement with him, only to serve until April court, which is on Monday next. Romney

Your Excellency's letter of March 2d, and the order of Council subjoined is received, and shall be particularly attended to as soon as I can convene a board of officers.

I have, &c.

1795. April 13th — Information given to the Governor of the escape from jail of Essex of Thomas Butler, charged with felony.

April 17th — THOMAS NEWTON TO THE GOVERNOR.

Norfolk — Capt. Hague of your place delivered me a list of American citizens detained on board the Resolution, British ship of war, one of Admiral Murray's squadron, now lying in Hampton Roads, viz:

David Cuff, of Connecticut; John Campbell, Charles county, Maryland; Michael Hackett, Pennsylvania; Joseph Griffith, Pennsylvania; Henry Megary, born in New England, his father now lives in Loundon county, this State, and has been an overseer to Colo. Carter. It is expected many others are on board this fleet.

A privateer, I have heard, is now lying in Hampton Roads, belonging to Bridger Gutridge, commanded by Daniel S. Morgan, come in to refit after an engagement with a French privateer off Charleston bar. I have heard she is chiefly manned with negro slaves from Bermuda.

Capt. Hague, if he is at Rocketts, will particularly inform you of the citizens detained on board the Resolution.

The alarming accounts received from the West Indies of the yellow fever makes it necessary to have some precautions used here, of which your Excellency and Council will please to direct. It appears from all accounts received here, that all the Islands are infected—Martinique and Jamaica more than any. If the pilots were directed to bring all vessels too before Fort Norfolk, it would answer the purpose for this port, but not for the others. A good lookout boat might do for all the State by cruizing in the bay, though if there were twenty, some would pass. Of this you'll be the best jndge. But the pilots should be generally ordered not to carry any vessel from the Islands to the towns before examination. Many here are alarmed at present, but I think there is little danger yet. It is too cold for the infection to be brought in; when warmer weather sets in there may be danger.

Inclosed is a letter from Thomas Megary.

I am, &c.

Resolution, April 10th.

Sir:

I hope your honour will be so kind to get me clear this time, as we expect to sail very shortly. On the thirteenth of July last sailed out in the Flour Fleet and was taken by this, and kept on board for the want of a protection or some person to speak for me. Sir, I never received the bounty or entered, but keeps me against my will. Sir, I can swear myself American; born in the State of New England, far, far from my friends and cannot get to them. They live in Loudoun county,

Virginia, within forty-five miles of Alexandria. My father has been overseer for Colonel Carter and Colonel Mercer and several other gentlemen; has been under General Lee, General Morgan, General Wear, General Blackford, and General Green. 1795. April 17th

No more at present.

From yours, &c.,

HENRY MEGARY.

Hampton Roads, April 9, 1795.

Sir:

I am sorry to inform you that I attempted to swim away last night, but was unfortunately catched by one of our ships' boats, for which I am now in confinement and am afraid it will tend to a bad consequence. If it is in your power to be of any service to me I beg you'll do it as soon as possible as I do not know how soon they may punish me. By so doing you'll for ever have the prayers and good wishes of

Your, &c.

DAVID REBURN.

N. B.—Sir, at the receipt of this you'll be so good as to send me a few lines that I may know my doom.

*The above man was retained some time past from the Lynx, which Mr. Campbell was of opinion should have been done by Habeas Corpus. I know not which ship he is on board of.

At a Court of Oyer and Terminer held in the county of Mathews by appointment of Richard Gregory, Gent., the twenty-first day of April, one thousand, seven hundred and ninety-five, at the Court House of said county, for the tryal of a negro man slave named Currell, the property of Benjamin Marable committed by virtue of a warrant from Richard Gregory, Gent., for feloniously and burglariously breaking and entering the store house of a certain Lewis Gan in the night of the 14th of March last.

Present—Thomas Smith, Jr., Richard Gregory, George Armistead, William Buckner and Houlder Hudgens, Gentlemen.

The above named Currell was led to the bar in custody of the Sheriff of this county, and an indictment being made up preferred against him by Mann Page, Deputy Attorney for this county, and it being made known unto the said Currell he was arraigned and plead not guilty, whereupon Matt, a negro man slave, being solemnly charged and sworn

*This is apparently in the hand writing of Colonel Thos. Newton.

1795. April 17th as an evidence, as well on behalf of the prisoner as the Commonwealth, and the substance thereof and arguments thereon being fully heard and considered, the court is therefore of opinion that the aforesaid negro Currell is guilty of the offence of which he stands charged, and in consequence thereof shall be hanged at the gallows of the county aforesaid until he is dead.

Ordered that the Sheriff of this county execute the same on Friday, the twenty-second day of May next, and the Court is also of opinion that the aforesaid negro Currell is worth three hundred dollars and that it be certified accordingly.

It being represented to the Court that the aforesaid negro man slave, Currell, has generally supported a good character previous to his committing the aforesaid offence, it is their opinion unanimously, and doth order that it be certified to the Honorable, the Executive of this Commonwealth, that the aforesaid negro Currell is an object of mercy, and that the clerk certify the same.

Teste:

JOHN PATTERSON, C. M. C'ty.

To the Governor:

Sir:

I have received instructions from Mr. Benjamin Marable, owner of the negro man slave named Currell, under sentence of death as will appear by the proceedings of the Court hereunto annexed, requesting me to transmit the same under cover addressed to your Excellency, requesting that the proceedings may be laid before the Honorable the Executive for their consideration. Should the recommendation of the said Court be an inducement to grant a pardon for the said slave, you'll be pleased to forward the same by the bearer hereof, or the first safe conveyance.

I am, &c.

April 21st

Clarksburg

WILLIAM LOWTHER TO THE GOVERNOR.

Assigning reasons for docking John Jackson 19 days pay as scout for time taken in attending to his private business and for his discharge from the service.

Randolph County, to-wit:

We do hereby certify that John Jackson, who was appointed a spy for the defence of the county of Randolph by the officer of the said county, which proceedings were notified to the Executive, served faithfully as a spy in defence of the said county from the 21st day of March,

in the year one thousand seven hundred and ninety-two, until the 19th day of September in the same year, and that he has not received his pay for the whole time, as will appear by the vouchers returned to the Auditor. 1795. April 21st

CORNELIUS BOGARD,
EDWARD JACKSON,
JOHN HADDAN.

Pay abstract for scouts ordered into service under instructions from the Executive in the year 1792.

Counties.	Names.	Commencement of Service.	Time when discharged.	No. of days.
Harrison.	Ellis Hughes	1792. Mar. 15th..	Dec. 1st	262
	Robert Lowther	"	"	262
	David Carpenter	"	"	262
	Jonathan Coburn	" 29th..	"	248
	John Hall	May 28th..	"	188
	Thomas Herbert	"	"	188
	Watson Clark	June 22d..	"	163
	William Haymond	"	"	163
	Christopher Carpenter	" 20th..	"	165
	Obediah Davison	"	"	165
Randolph.	Valentine Statnaker	Mar. 15th..	"	262
	Charlie Parsons	"	"	262
	George Westfall	" 27th..	"	250
	John Jackson	"	Sept. 1st	159
	William Gibson	June 12th..	Dec. 1st	173
	William Westfall	"	"	173
	Thomas Carney	Sept. 19th..	"	74
Monongalia.	Edward Pindale	June 16th..	Nov. 30th	168
	Morgan Morgan	"	"	168
				3,755 days.
	3,755 days at 5s. per day, £938. 15s.			

The original of this abstract contained 6 scouts, but as the Executive ordered that 4 only should be paid, and this copy was prepared to accompany the account against the United States, I took the four first named in the abstract. The Executive however afterwards directed that the original abstract should be sent, and therefore the names of two additional scouts ordered to be paid 19th of Aug. '93, are taken from James Haynes and the Hon. Mr. Steele.

JAMES INNES TO THE GOVERNOR. April 23d

The symptoms of a flying gout, which in a considerable degree affect my head, have prevented my attendance at the Court of Appeals for several days past, and I am apprehensive from my present feelings I shall not be able to apply to business for some time to come. Yet I do Goochland

1795. April 23d

not suppose as the Executive have confided the cause of Fairfax vs. the Commonwealth to gentlemen so distinguished for their talents as Messrs. Campbell and Wickham. that the public interest can suffer in any respect by my absence.

I have. &c.

April 23d

JOHN GUERRANT, JR., TO THE GOVERNOR.

Goochland county

I have received a letter from Lieut.-Col. Ware of the 90th regiment. informing me that since the assessment of fines on those delinquents in his regiment. who failed to perform the tour of duty to repress the late insurrection. it appears that several of the persons fined could now shew good cause why those fines should be remitted, but as the law seems defective upon this subject. he is at a loss what steps to pursue for their relief. and requests advice thereupon. As I presume similar cases have occurred or may probably occur in the other districts, to all of which some uniform rule should apply. I take the liberty to solicit your direction as to the mode of relief.

And am, &c.

P. S.—I presume my former letter to your Excellency on this subject has not reached you. J. G.

April 24th

J. G. WOOD TO THE GOVERNOR.

My situation has induced me to trouble your goodness to redress my present unhappy case. which I shall relate in few words. In consequence of my principles being opposed to the British Government, I had for some time meditated to leave the service which I had been in for some length of time. I left the Frigate I was in, and came to Hampton and settled myself as a practitioner of physic and surgery. Since that I married a young lady of very respectable family, and purchased a house and lot. and expected to have been happy, but several of the naval officers have frequently disturbed my domestic tranquility. and in consequence of two seamen belonging to them being rescued by the citizens in Hampton. they are determined to revenge themselves by taking me dead or alive. This they publicly declared. I advised with some friends what would be the most prudent step to take. They thought it best for me to retire into the country, and I have been under the disagreeable necessity of leaving my wife, home and practice. This is my situation, which I have simply stated. My personal safety is not secure unless you kindly undertake to secure it by those measures you may think most effectual. Hope you will excuse the great liberty I have taken. and give me leave to subscribe myself,

Yours, &c.

At a court held for the county of Southampton the 11th day of December, 1794: 1795. April 24th

Henry Barrow was recommended by the court as a fit person to fill the surveyor's office.

JOHN BECKLEY TO THE GOVERNOR. April 25th

In obedience to an order of the House of Representatives, I have the honor to enclose herewith three copies of the Journal of their proceedings during the late session of Congress—one for the use of the Supreme Executive, and one for the use of each branch of the Legislature of the State over which you preside. Clerk's office, House of Representatives, U. S.

I am, &c.

JACOB RINKER TO THE GOVERNOR. April 26th

I some time past received under cover from Mr. A. Blair, C. C., a resolution of the Executive under General Lee's administration in pursuance of the advice of the Council, directing me as Escheator for this county to collect all the back rents due Mr. Denny Fairfax in this county, in consequence of an inquest of office which had been taken by me in pursuance of the act of General Assembly concerning Escheators, which I omitted to answer till now, supposing that the law authorized me to do so, as the Executive had directed it, and in that event, supposed the law had provided the mode by which I could attain to the knowledge of the sums due and in arrear. But, upon investigation, find the law hath no such provision; and therefore for me to undertake to collect those arrearages would be vain and idle, as I have no data to act upon, and it appeareth to me I am authorized only by the law above referred to, to receive the profits after the lands are seized into the hands of the Commonwealth by its officers; and those I can readily ascertain by referring to the leases from Fairfax to the tenants in possession (which mention the annual rent) and the inquisition. But should you think that in this I am mistaken, if you will advise me of any means by which the business can be done, I shall be ready to comply with the directions of the Executive above referred to, provided, upon investigation, they may think the law will justify me in so doing. Shenandoah

I am, &c.

1795. W. WILSON TO REAR ADMIRAL MURRY.

April 27th Portsmouth

I have the honor to inform you that I am charged with instructions from his Excellency the Governor of this Commonwealth, in the following words:

"When any Fleet, Squadron, Ship or Vessel of any belligerent nation shall clearly and unequivocally use the waters of Virginia adjacent or near your county as a Station, in order to carry hostile expeditions from thence, you are hereby required to cause it to be notified to them that such conduct is deemed contrary to the rights of neutrality, and that a demand of restitution will be made by the Executive of the United States on their Government for all prizes which may be proved to be the consequence thereof."

I am further directed by his Excellency the Governor to require of all commanding officers of all such Fleets, Squadrons, Ships or Vessels to depart forthwith.

In consequence of these instructions, sir, and from the conduct of the commanders of the Squadron of Ships belonging to his Britanic Majesty, under the command of Rear Admiral Murry, I conceive it to be my duty to notify to you as commander of the Ships of his Britanic Majesty now in our waters, the instructions which I have received, and at the same time to inform you that a demand will be made by the Executive of the United States upon your Government for all the captures which Admiral Murry's Squadron have made since they have used the waters of this State as a station from whence they have carried on hostile depredations.

I must also request that you, and all the ships composing the said Squadron, will forthwith depart.

It is possible that I may not be exactly informed of the Ships which are under the particular orders of Rear Admiral Murry, but that you may clearly understand the ships which I request to depart, I have subjoined a list of them at the foot hereof.

This letter will be handed you by John Cowper and Daniel Bedinger, Esquires, two of our citizens, in whom I have confidence, and who will make on our part such explanations as may be required and proper to make. I take the liberty of suggesting to you the propriety of liberating all American citizens which may be forcibly held on board any of the Ships of your Fleet, as no measure is more calculated to inflame the minds of citizens of the United States than detaining any of them in your service against their inclinations. I have received numerous complaints on this head, some particular instances of which Mr. Cowper and Mr. Bedinger will communicate to you, and I trust, sir, that motives of humanity and regard to our sovereignty will induce you to immediately release all American citizens now on board any of your ships.

I rely on you to communicate the contents of this Letter to all the commanders of his Britanic Majesty's ships, named at the foot, which I conceive come within the description of vessels who have used our waters as a station, from whence they have carried on hostile depredations. 1795. April 27th

I have, &c.

List of Ships alluded to in preceding letter: Resolution, Argonaut, Africa, Hussar, Cleopatra, Thetis, Lynx, Louise.

Dan'l Bedinger and John Cowper, Esquires:

Having received a letter from his Excellency the Governor, ordering the commanding officer of this county to cause it to be notified to the commanders of all vessels of the belligerent nations, who make use of our ports as a station to sally from to commit hostile depredations, that "such conduct is deemed contrary to the rights of neutrality, and that the aggressors be required forthwith to depart."

It has been, gentlemen, clearly and unequivocally proved that a British Squadron said to be under the command of Rear Admiral Murry now in or near Hampton Roads, comes precisely within the description of those intended to be required to depart.

I have therefore to desire you, gentlemen, to act as commissioners in carrying into effect the Governor's orders. Please then to repair immediately on board Admiral Murry's ship, or on board the officer's ship commanding in the absence of the Admiral, and deliver to him the instructions from the commanding officer of the county, requesting withall a liberation of any American citizen who may be detained on board that Fleet, and be so kind as to make any explantions that you may think proper to make.

I have, &c.,

W. WILSON, Lt.-Col.

Norfolk, April 29th, 1795.

Sir:

Agreeable to your instructions of yesterday's date, we proceeded to Hampton Roads in the Revenue Cutter of the United States, commanded by Capt. John Lerty, and about seven o'clock in the evening called along side of his Britanic Majesty's Frigate the Thetis, when we were informed that Captain Cochrane of the Thetis, was the commander of His Britanic Majesty's ships in Hampton Roads, and that he was then on board the Hussar Frigate, Capt. Berisford. We accordingly repaired on board the Hussar, where we found Capt. Cochrane, and in the presence of Capt. Berisford, delivered to him the letter entrusted by you to us, directed to Rear Admiral Murry, or in his absence the commanding officer of his Britanic Majesty's ships in Hampton Roads.

Capt. Cochrane having perused your letter, addressed himself to us

1795. April 27th and said he had no answer to return; but demanded to know of us if he was in a neutral port? which being answered in the affirmative, he replied that he should not depart in consequence of any letter or orders from you. We desired him to observe that the request for his departure did not flow from you, but from the Executive of the Commonwealth of Virginia, by whose orders you acted.

He replied, it made no difference; that he should remain where he was as long as he pleased, any orders from the Governor, or all the Governors of the United States to the contrary notwithstanding; that he should remain and obey no instructions, nor would he comply with any request to depart, but such as should come from Mr. Hammond, whose authority only he should acknowledge. Being then asked by us if either of the ships were in distress, he replied he hoped not. He then entered into subjects foreign to the object of our mission, such as our general partiality in favor of the French—the equipment of privateers in the ports of Charleston and Baltimore, &c., to which we, of course made no reply, but called his attention to the particular business upon which we had come, and formally demanded of each of the Commanders (Cochrane and Berisford) to liberate all American citizens who were detained on board of either of their ships—particularly William Stephens, a native of New York, who was impressed from on board the bark Peggy of Georgetown, and who (as we were informed) was then on board the Hussar. To our general and special demand they replied, they knew of none on board, but in a manner which conveyed to our minds the idea of a refusal to our demand rather than a direct unequivocal disavowal of such citizens being on board. We now took our departure and proceeded to the ship of the Commodore of the French Division, and agreeable to your instructions delivered your letter, an answer to which we herewith present you.

In making to you this report, Sir, it cannot be expected that we should relate the conversation which passed in exact words, but we have endeavored to confine ourselves strictly to the spirit and substance without suppressing any circumstance which might be deemed necessary to be communicated.

We remain, &c.

JOHN COWPER,
DANIEL BEDINGER.

Willis Wilson, Esq., Lt. Col. Commandant of Norfolk county.

Translation.

Liberty. Equality.

On Board La Flute of the French Republic,
La Cocke, the 9th floreal, 3rd year of the Republic.

Joseph Drew, Sen'r, commanding the Flutes of the French Republic in

Chesapeake, in the United States of America, to citizen Willis Wilson, Lieut. Col. Comm't of Norfolk county: 1795. April 27th

Citizen:

The unworthy proceedings of armed vessels having at length wearied the patience of your countrymen, merit the steps which have lately been taken by your Executive with respect to them.

Conforming myself always to the principles of republicanism common to our two nations and being sensible of the justice and dignity of your proceedings, I receive with much pleasure your official communication.

Health and Fraternity,

JOSEPH DREANO, Sen'r.

THOS. NEWTON TO THE GOVERNOR. April 28th

Norfolk

Your Excellency's favor of the 24th I duly received, which shall be attended to with every exertion in my power.

Two British ships now lie in Hampton Roads, which in my opinion are truly stationary. Col. Wilson having sent on board, will give you the result. Admiral Murry's squadron, by all accounts, have laid in large quantities of provisions, and I have reason to believe that they are now shipping large quantities of flour, &c. to Bermuda for supplies for those ships. Nothing but an embargo will prevent supplies to them, for so long as our vessels carry out provisions, they will take what they please, and we have no other way to prevent it.

A vessel will clear for Bermuda or any place. No bonds are given to return a certificate of having landed their cargo. They may deliver it to any of these ships off the Capes.

I am preparing a boat for quarantine, and will soon have her out. Every preparation shall be taken to prevent any disease from coming in. I have had 50 copies of the proclamation printed to distribute to pilots, that they may not plead ignorance.

A vessel arrived here a few days ago with 40 French negroes from Antigua. They were not permitted to land, but have hired a vessel to carry them to North Carolina. Altho' the law authorizes the civil magistrates to oblige those who bring them in to carry them out again, yet, if they are permitted to stay for the loading of the vessel, many will run off. More are daily expected. Strangers generally bring them in, and plead ignorance of the law. I sincerely wish all we have among us could be sent off, as I apprehend they may be troublesome some time or other. I am much at a loss how to return the rank of the artillery officers, not knowing whether they are to act with the militia of this Borough. I shall be glad to know whether they are subject to the same fines, &c. as the other militia, and if I am to receive returns from the Captains of delinquencies.

I am, &c.

1795. April 28th Vessels are chartered and fitting out for Bermuda at this time, I am informed, with provisions, it is supposed for the British ships.

April 28th

JOHN HAMILTON TO THOMAS NEWTON.

British Consul's office

A boat upon his Britanic Majesty's service has been stopped from proceeding to the place of her destination.

I demand of you, sir, to know by what authority, on what principles, and for what purpose this has been done.

I am, &c.

Answer:

Sir:

I received your letter of this date, and doubt not the officer who stopped the boat will give you the satisfaction you require, on application to him.

I am, &c.,

THOS. NEWTON.

John Hamilton, Esq.

April 29th

JOHN STEELE TO THE GOVERNOR.

Philadelphia

I am tired repeating to you the tardy progress of our business, but am consoled in the hope of its terminating favorably. Summay abstracts of both pay and rations are to be made in almost every instance. By some we gain, by others we loose, and spend more time than I could reasonably have expected. I find no rolls for Clendenin's company for 1794, and only the first muster rolls for Lieutenant Mann's. The account of rations issued by John Van Bibber to both these companies up to a day in June is among the papers, and charged at eight cents. Prior's account for the remainder of the time I have not seen, and remember that Cavindish contracted with him at 10 cents per ration. When the rolls come on it will be necessary to authenticate this fact. I remember, too, that on a former occasion he was allowed 10 cents by a special order of the Board that I have not seen; perhaps it was 1792, and is already settled.

I have got the printing business in a train which I flatter myself will give satisfaction, and was I not a little indisposed would now give you a detail of it.

The accountant is anxious that the business be finally closed before I leave this place. If I wait for the rolls, before mentioned, my patience will be well tried, unless they come very shortly.

I have, &c.

Philadelphia, April 15, 1795. 1795.

Sir: April 29th

Yours of the eighth instant, enclosed with several rolls and pay abstracts, I had the honor of receiving yesterday. Simmons was yesterday appointed to succeed Mr. Howell, and we go in the usual way again—very slow.

I believe the business of 1794 is more regular than that of the preceding years, which we have just got through, and I flatter myself will not take up as much time.

I have, &c.,

JOHN STEELE.

Hon. James Wood, Lieutenant-Governor.

W. Wilson to the Governor.

April 29th

Portsmouth

I have the honor to inform your Excellency that upon receiving your letter of the 24th instant I got Mr. D. Bedinger and Mr. John Cowper to repair to Hampton Roads, and there notify to the commanders of all vessels of war of the respective belligerent nations the instructions contained therein.

Copies of the above notification with the French Commodore's answer, (who only commands a division of commercial Ships), and a report of the declaration made by the British commander, I beg leave to transmit to your Excellency.

I shall now, in obedience to my instructions, proceed with the most effectual means in my power to prevent the violators of the neutrality of the United States "receiving any aid, assistance or comfort from the inhabitants of this Commonwealth."

For the accomplishment of this purpose, I beg leave to submit to your Excellency the expedience of fitting out an armed boat for Hampton Road, and patrolling parties for the shores adjacent, as it will be difficult to carry the instructions into effect otherwise. From the numerous complaints we have received at this port of the violation of our neutrality by the British in tyranical (indeed I may say piratical) conduct of them towards our native citizens I thought it my duty to make a demand of liberation of all those who were impressed on board Rear Admiral Murry's squadron. In Mr. Bedinger & Cowper's report your Excellency will see the result of that.

I beg leave to transmit you a copy of Capt. Hatten's deposition upon that head. Many letters from impressed citizens I have put in the hands of Gen'l Mathews begging of him to use what influence he might have with the British consul to procure their release but without effect.

I have, &c.

1795. DEPOSITION OF ROBERT HATTEN, MASTER OF THE SHIP HARRIOTT, SOLELY OWNED BY NATHANIEL ANDERSON, ESQ.

April 29th Being first duly sworn, deposeth and saith:

That he, the deponent, sailed the 27th of March last from Jamaica; that on the 16th of April, in 24 fathoms water, off Cape Henry, he was boarded by a boat from the Lynx, a British sloop of war; that after his papers were examined by a Lieutenant Skein, of the aforesaid sloop of war, he examined the crew of the Harriott and declared that they all, as well as the deponent himself, were British subjects, and that he could prove it, and seized three men, John Underwood, John Loyd and Lewis Moore, the two former of whom were natives of America with protections, who, he said, Skein impressed and took on board the Lynx. Previous to Skien's leaving the Harriott, he demanded the wages that might be due, upon which the deponent remonstrated, and told Mr. Skien that he should comply with the laws of his country, and the articles under which he had shipped his men did not authorize them to draw their full pay until the voyage was ended. Mr. Skein then replied that he should comply with the laws of Great Britain, which was superior to America; he would put a prize master on board the Harriott, send her to a British port, and there sell her in order to pay off the men their wages, if the deponent did not then do it. Mr. Skein further swore that if the deponent did not immediately advance the wages to the men, that he would cut his sails from the yards and let the ship go adrift, and ordered the deponent into the boat, who he abused with epithets of "damned scoundrel," &c., &c.

This deponent further saith, that it was with the utmost difficulty that he saved his mate from the impressment of Mr. Skein, and that the ship Harriott was left in the utmost distress, having but three men left on board.

Upon the whole, this deponent declares that the scurrilities he received from the aforesaid Skein, and the tenor of his whole conduct, were of a piratical proceeding, and betrayed the greatest malignity to the American flag.

Further this deponent sayeth not.

(Signed) ROBERT HATTEN.

Norfolk county, sct.:

I hereby certify that the foregoing is a true copy of Robert Hatten's deposition, to which he swore before me the 20th of April, 1795.

W. WILSON, J. P.

Philadelphia, April 20th, 1795. 1795.

Sir: April 29th

In consequence of some scruples entertained by the accountant, he has taken all the correspondence relative to our business in order to make himself well acquainted with it before he proceeds any further, and little or no progress has been made for some days.

The Secretary of the Treasury has informed me that he can give Drafts payable at sight on Virginia; on Carrington, Lindsay, Heth and the Collector at Alexandria for the amount of the balance that will be due the State, and that he would prefer this mode to sending money out of the Bank on account of its security.

I shall be here long enough to hear from you, and could wish for some information as to the propriety of receiving such Drafts, Bank Notes, or Gold or in what proportions.

I have, &c.,

JOHN STEELE.

Philadelphia, April 29th, 1795. April 29th

Sir:

I find some of the people of Monongalia have charged seven cents, and some eight; others have no specific charge for the Rations. In the second case, the Auditor has made out the account for eight, and in the third case I suffer them to be made up here at 10 cents. Wells contracted at seven cents, and if the Board has made no alteration there will be an error in favor of the State—tho' perhaps not more than will counter balance the deductions on account of Rations over charged and disallowed. I will leave it with the Board to correct this error. If it was a private transaction I would readily determine what to do with it.

I have, &c.

JOHN STEELE.

James Wood, Lieutenant-Governor.

To the Honorable the Governor and Council of the Commonwealth of Virginia: April 29th

The remonstrance of John Jones, late sheriff of the county of Dinwiddie, prays for the remission of a fine against Joseph Jones, his successor as sheriff, who had made himself responsible for an execution against the remonstrant for taxes collected by his deputy and not returned, the principal, interest and costs having all been paid by Joseph Jones.

1795. PETITION TO THE GOVERNOR.

April 21st The petition of Joseph Jones respectfully sheweth that the refusal of the Executive to remit a fine imposed on your petitioner for failure to return an execution against John Jones, his predecessor, was founded on a belief of a collusion between your petitioner and John Jones, which he can prove to the Executive was erroneous and unjust. He therefore prays a remission of said fine, as he cannot hope for reimbursement from John Jones, and as his delinquency proceeded from an error of judgment, and not of criminality.

April 30th JOHN WISE TO ARCHIBALD BLAIR, C. C.

I am requested by several members of the court of this county to procure from you a copy of a letter written some time during the last year to the Executive by James Spiers and William Drummond relative to the appointment of militia officers. I will therefore thank you to send it enclosed to me by the Rev. Mr. Jones, who is so obliging as to promise to take charge of it, and who will also pay you for it.

I am, &c.

Copy sent by permission of the Governor, Mr. W——, Mr. Dare, Mr. Branlout, Mr. Smith, May 12th, '95.

May 1st JOHN STEELE TO THE GOVERNOR.

Philadelphia I must take the liberty of suggesting to you the propriety of enclosing to the Secretary of the War Department all such vouchers for military claims as you may yet have to send on.

If the few that remain should not come to hand during my stay here, I flatter myself a settlement will readily be obtained, provided they are tolerably well authenticated.

I have, &c.

May 3d WILLIAM DAVIES TO EDMUND HARRISON, ESQ.

Blandford The account rendered long since to the Auditor was for contingencies of office entirely after closing it in Virginia and removing it to New York, excepting perhaps an item of salary from the 1st of July, 1793, till the latter part of that month, when my agency was fully completed, and the public books and documents delivered up. As the auditor had

supposed, more money had been drawn before I left Virginia than was due on account of salary. I have since furnished him with an account of salary and expenditures, embracing the whole period prior to or not included in the former account. The statement referred to in my memorial to the Executive, related wholly to the deduction of salary which had taken place with the commencement of the year 1791, and is wholly unconnected with any contingent account or of salary during the rest of my agency. Nothing therefore is wanting to enable the auditor to close my public account but an order from the Executive directing him to act upon it. I had thought it was his duty ex-officio, but he says he has no authority to audit it but under a reference to him from Government. As Col. Steele and myself dissected all the drafts made by me while to the Northward, so as precisely to distinguish the objects for which monies were drawn, there remains nothing for the Executive to act in, but to empower the auditor to proceed to close up my account finally. I shall be extremely obliged to you to have this subject taken up as soon as may be convenient, for tho' the matter is in itself clear and simple, yet possibly an accident to myself might render that doubtful which now might easily be explained. 1795. May 3d

We are in usual health, and hope your family are so too. Mrs. Harrison and your little daughter are, more particularly with yourself, the objects of our best wishes.

Remember us all affectionately to your family, and believe me,

Yours, &c.

A. Lewis to the Governor.

May 4th

Having understood that General Tate is unwilling to continue in the office of paymaster for the troops on the Frontiers, I will take the liberty to propose myself, presuming it will suit me, as I have an intimate knowledge of the whole transactions, they being generally under my direction. Richmond

Should the Executive approve me, they may be assured of the business being performed with dispatch and punctuality, having regard to the interest of the public, as well as to the soldiery.

But perhaps as the Executive are not informed of General Tate's indisposition to continue any other way than through myself, I would not wish the appointment on any other terms than that the General would not wish to continue, which be made known to the Executive as early as possible.

A letter accompanying the money if the Executive thought proper, would be handed him by me. If he wishes to continue in the office, any appointment as to myself would be considered void.

I have, &c.

1795 A warrant issued out of the Treasury office for the sum of
May 4th one thousand four hundred and forty-three pounds and ten shillings was paid out of the public treasury on the 5th day of April one thousand seven hundred and ninety-five in favor of John Syme to be placed to the credit of James & John Mitchell of Great Britain.

Certified at the Treasury of Virginia the fourth day of May, 1795.

J. ANGUS, Treasurer.

May 5. A. LEWIS TO THE GOVERNOR.

Richmond. Enclosed is a statement of moneys due me for the year 1793. Am desirous to know whether the moneys actually in my hands are to be accounted for as part of the sum due me in account current, or whether I am to receive the whole of the sum stated to be due from non-commissioned officers, scouts and soldiers as in the hands of the paymaster, and hope your Excellency will excuse my not making the same out for my own services and that of Lieutenant Robison, as an examining. I have not brought with me the balances due to the officers. I have made this statement only to show the Executive that I do not wish to call upon the public for more than was due to me for that year.

I am, &c.

Richmond, May 5th, 1795.

The Commonwealth of Virginia, Dr., to A. Lewis.

Due from non-commissioned officers, scouts and soldiers for the year 1793, as per statement from paymaster, -	$2,698 51

The proportion of 18 to 31 of Lieutenant Robison's pay received by him, the balance due to me by verbal order to paymaster.

Received of the paymaster for my services for the year 1793 the sum of twenty five pounds, not having a copy of the roll only for non-commissioned officers, scouts and soldiers, am at a loss for the above balances.

A. Lewis, Dr., to the Commonwealth.

By 100 weight of powder, sold cost and carriage, - -	£ 8. 0. 0
By warrant received in October, 1794, - - -	500. 0. 0
By an order presented by Mr. Froeland, I believe, for -	400. 0. 0
	£900. 0. 0

A. LEWIS.

THOMAS NEWTON TO THE GOVERNOR. 1780.

I have not as yet been able to hire a boat that I approve of for the quarantine business, but expect one from Hampton to-day or to-morrow, tho' I am almost of opinion the boat may be dispensed with altogether, as I have got the boat belonging to Fort Norfolk with the Doctor to board all vessels and bring them too under the guns of the Fort for examination. Doctor Brewster of the Artillerist, attends immediately as a vessel appears, with a crew that belongs to Fort Norfolk, without any expense to the state, and serves as a guard at the same time. I hope your Excellency will approve of this mode, as it saves much and answers all purposes. Doctor Brewster is also very attentive. Doctor Mortimer the last two years attended this business with care and attention, but to have the conveniency of the boat and hands of the fort, I thought it best to do as I have done in employing Doctor Brewster. May 5th Norfolk

I shall make trial of a lookout boat a while, and if I find that we can do without one, and your Excellency approves of it, I will discharge her, and save the expense.

I have fixed on 20 days for a vessel to be from her port before she is allowed to come up, and by that time if she is infected, it will appear, but this rule will vary according to circumstances. The British ships are all gone out.

I am, &c.

At Philadelphia, the time fixed for healthy vessels is 25 days, as above.

DANIEL BEDINGER TO THE GOVERNOR. May 5th

I submit to your judgment the propriety of forwarding the enclosed (or a copy thereof) to the Secretary of State. Had Captain Cochrane at our interviews been more explicit, I make no doubt but that I should have been able to disprove everything which Butler's counter-declaration was calculated to establish; but Cochrane's extreme unwillingness to communicate to me fully the contents of that declaration, together with his refusing to let Butler be confronted with me, are circumstances which forcibly indicate that his conduct in that transaction was not influenced by motives of unquestionable purity. Norfolk

If I could obtain through your mediation (from the Secretary of State) a copy of the paper extorted from Butler by Captain Cochrane, I should esteem it a singular favor.

I am, &c.,

Norfolk county, to-wit:

Personally appeared before us, William Newsum, Robert Brough, and Thomas Brent, Justices of the Peace for the county aforesaid, John Cowper, Esq'r, who, being duly sworn, deposeth and sayeth:

1776. That on Tuesday last the 25th of April being then on board the
May 4th. Hinchinbrook British Frigate on business of a public nature he was present when Captain Cochrane told Mr. Bedinger that improper means had been used to obtain the deposition of Thomas Butler pilot respecting the capture of the ships Harmony and L'esperance some time in January last; that the said Butler was then last Tuesday on board of his ship and that he Captain Cochrane had taken a counter declaration from the said Butler which he would take care to send on to Mr. Hammond. That Mr. Bedinger thereupon informed Capt. Cochrane that the deposition alluded to was taken before him as an Alderman of the borough of Norfolk and wished for a full explanation from Captain Cochrane, which he declined only observing that he understood that the said Butler had been threatened and that the act in him was by no means voluntary. Mr. Bedinger then requested that as Thomas Butler was then on board Captain Cochrane's ship he might be immediately brought forward and confronted with him which request Captain Cochrane refused to comply with. And further Mr. Cowper sayeth not.

Thomas Butler being also sworn deposeth that his former deposition respecting the capture of the ships Harmony and L'esperence as taken before Mr. Bedinger, was given on his part freely, voluntarily, without fear or compulsion, and without being under any undue or improper influence. That with a view of giving the said deposition, he of his own free will went several times in quest of Mr. Bedinger for the purpose aforesaid before his deposition was actually taken. That when he afterwards acted as Pilot on board the British Frigate Thetis, Capt. Cochrane in Hampton Roads charged him with being a spy, which this deponent denied; whereupon Capt. Cochrane observed that he had in his possession sufficient evidence to prove that he had acted as a spy, and then produced and read a copy of the said deposition as taken before Mr. Bedinger on the 24th of March last. That this deponent was greatly alarmed and terrified at the said charge, and apprehending he should be carried away and treated as a spy, he from motives of self preservation, was induced (in the presence of three carpenters) to sign a paper, with the contents of which he is entirely unacquainted, nor was he indulged with a copy thereof, but was informed it partook of the nature of a counter-declaration, tho' Capt. Cochrane did not offer to administer any oath. He further declares that circumstanced as he then was, should without hesitation have subscribed to anything which Capt. Cochrane might have dictated, rather than be forced from his country, his wife, and family, which he is firmly persuaded would have been the case had he not complied with Capt. Cochrane's proposal. And further Thomas Butler sayeth not.

It also appears from the concurrent testimony of Samuel Morrel, John George, and Joseph Chargan that no force or other improper

means were used in obtaining Butler's deposition as taken before Mr. Bedinger on the 24th of March last. 1795. May 5th

Given under our hands this fourth day of May, one thousand seven hundred and ninety-five.

WILLIAM NEWSUM.
ROBERT BROUGH,
THOMAS BRENT.

DAVID MEADE TO ———. May 6th

The Sira, a schooner belonging to Baltimore, homeward bound from Charleston, was, about the latter part of October, boarded by men from the British Frigate Thetis, from which vessel they took two passengers and four men belonging to it, and detained them until the night of Friday, the fifth of this month (May), when Samuel Tull, a young man belonging to Somerset county, in Maryland (from whom this information was obtained), one of the two passengers, alone made his escape by means of a pilot boat, and left in the Frigate more than twenty American citizens detained by force in the service. Tull was plundered of all his clothes and £400, capital, which he had received from Mr. Francis Symonds, merchant, of Charleston, being the price of an estate of land in South Carolina sold by his father. Mayeox

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THOMAS NEWTON TO THE GOVERNOR. May 7th

Your Excellency's favours of the fourth I received, and have given the British Consul notice of the revocation of the instructions therein mentioned. All the ships are out at present, but a cutter is arrived who had permission to take wood, water and provisions they wanted. If any ships of Admiral Murry's squadron returns I will enquire after our citizens that are detained and inform your Excellency the result. Norfolk

I have this day employed a fine boat for a lookout, but hope we shall save the expense of her, as I think the Fort answers all the purposes.

I am, &c.

JOHN HAMILTON TO THE GOVERNOR. May 8th

I have the honor to acknowledge the receipt of your Excellency's letter of the 22nd of April, and pay due attention to the contents. I should have answered sooner, but was then absent, and since my return have been much indisposed, which I hope your Excellency will accept as an apology. British Consul's office Norfolk

1795. May 8th

In answer to yours, I have to observe that in respect to an armed force appearing from the British Ships of War to interrupt the tranquility of the United States, was first communicated to me by your Excellency.

Admiral Murry made several complaints to me of the insult offered to his officers and Boat's crews who went on shore at Hampton, by the inhabitants of that place, particularly by a Mr. William Brough and a Mr. Rogers. Two of the seamen belonging to the Fleet who were on Shore watering got drunk, and were induced while in liquor to leave their Boats. The Gunner of His Majesty's Ship Argonaut being the only officer on shore, and knowing the good conduct of the two Seamen, went in search of them, found them, they were ashamed of their behaviour and readily with him returned to Hampton and proceeded on Board a schooner Boat to be carried to their ships, but before they could get under way a Body of men headed by the above-mentioned Brough & Rogers, forcibly boarded the Boat, and took the men out—this is a fact which can be substantiated by some of the principal Gentlemen of that place. Four more seamen were also induced away, and men of excellent character; the officers being sensible, they would return to their duty when sober, a Boat was sent to York Town to overtake them, while the surgeon of one of the Ships of War and only one servant went by land, and found the seamen as they expected; they returned to their duty penitent for their misconduct, and without the least violence being offered either to the seamen or any of the citizens. These are the only two circumstances that have come to my knowledge since your Excellency was here. Three British subjects was all that was on shore in quest of the absent men and those unarmed, consequently could not frighten or alarm any of the citizens of the United States on any just grounds, nor have I heard of any intemperance being committed but what proceeded from the citizens themselves. The case of Mr. Ward I never heard of; he has certainly left the British service, but it was as a deserter, and the King's officers have too contemptible an opinion of such characters even to have a wish or an idea of permitting them to return. It is said he was very active in inducing the seamen to absent themselves, and conscious of his own Guilt he dreaded that an attempt might be made to take him and punish him for his perfidy.

As I cannot suppose that the Government of the United States wishes to encourage or protect deserters from His Majesty's service, I have stated all matters as fully and as clearly as I could to His Majesty's Minister at Philadelphia, who, I make no doubt, will arrange the business fully with Mr. Secretary Randolph as in future will prevent any misunderstanding and establish some kind of rule for the future government of the officers interested on each side, particularly respecting seamen. For myself, I can only repeat what I have often declared and practised since I had the honor to reside here as his Britanic Majesty's

Consul, that every exertion has been made on my part to keep the peace and tranquility of the country on every occasion, and which I am certain most of the Magistrates who have acted here will do me the justice to confirm what I have asserted. I lament the many acts that have lately taken place here which have not a little disturbed the public tranquality, and I am afraid founded on certain depositions taken here not altogether authentic, but I trust that by a timely and proper remonstrance, and all matters being explained, they will be amicably adjusted between the two countries. I can only assure your Excellency that as far as it rests with me, every aid shall be given to preserve the peace and tranquility of the country while I reside in it, and with the most perfect esteem and respect,

1795. May 8th

I have, &c.

Edmund Randolph to the Governor.

May 8th

Department of State

I do myself the honor of enclosing to your Excellency copies of two letters of the 5th instant, with the papers which accompanied them from Mr. Hammond, his Britanic Majesty's minister plenipotentiary. As my answer, of which also a copy is now forwarded, refers to two letters from this department of the 9th of September, 1793, and the 7th of July, 1794, I take the liberty of presenting them to your consideration.

You will readily suppose that Mr. Wilson's order to a person called Harvey is unintelligible of itself, and that the explanation from Capt. Cochrane to Mr. Hammond cannot be yielded to on our part without some inquiry.

Your Excellency will therefore be pleased to cause the matter to be examined, and to enable me to give a proper reply to Mr. Hammond's requisition.

My circular letter of the 16th ult. does not request that vessels using our waters as a hostile station should be ordered to depart. It requires only that notice should be given to them of our intended demand upon their government.

An order to depart would be inconsistent with the letter of the 9th of September, 1793, which concedes to them our ports as a refuge in case of necessity, and a resort for comfort or convenience, without limiting the time of their stay.

The case in which British vessels may be ordered to depart is where they bring into our ports French prizes, as was prohibited by the following instruction to the collectors on the 4th of August, 1793: "If any vessel of either of the powers at war with France should bring or send within your district a prize made of the subjects, people, or property of France, it is immediately to be notified to the Governor of the State, in order that measures may be taken pursuant to the 17th article of our

1795. May 8th

treaty with France, to oblige such vessel and her prize, or such prize when sent in without the capturing vessel, to depart."

The letter too which I had the honor of addressing to your Excellency on the first day of February last, enclosing a representation from Mr. Fauchet of 31st of January, related to British vessels which had come in with prizes. It is true that he has contended that if a British ship of war shall have captured a French vessel anywhere on the high seas, she is not to be admitted into our ports during the war. But the instruction above mentioned shews that our Government restricts the construction of the 17th article of our commercial treaty with France, to ships bringing in French prizes.

Your Excellency must be sensible that the conduct of one nation towards another requires delicacy, temper, and discretion. The President therefore cannot doubt that the persons whom you may select for the execution of your orders in respect to foreign ships of war, will possess these qualities; and while they perform their duty with firmness, will observe perfect impartiality.

It will be painful to be compelled by a sense of propriety to disavow any acts which may go beyond the intentions of Government.

The reference in one of Mr. Hammond's letters to Mr. Bedinger will be explained in a subsequent communication.

I have, &c.

May 8th

Philadelphia, May 5th, 1795.

Sir:

The letter, of which I enclose a copy, and which I have received by the post of this morning, from Captain Cochrane involves in its considerations of such magnitude and importance, that I am under the necessity of desiring you to inform me explicitly whether W. Wilson was authorized by the Federal Government to assert that a demand will be made by the Executive of the United States on the Government of Great Britain for all the captures which Admiral Murray's squadron have made since they have used the waters of Virginia as a station from whence they have carried on hostile depredations, to require the Thetis and the other ships composing the said squadron forthwith to depart from the waters of the State of Virginia; and by extending this requisition to ships which he knew had proceeded from Lynnhaven bay to sea nine days before, to prohibit their return to the waters of Virginia. I cannot but hope that you will favor me with an answer to this letter at as early a period as may be convenient; for, having already communicated to his Majesty's Ministers in England the dereliction on your part of the principles announced in your predecessor's letter to me of the 9th of September, 1793, and your refusal to designate the particular cases under which ships of war entering the ports of the United States

1795.
May 8th

would be regarded as using them as a station, in order to carry on hostile expeditions from them, it will be farther expedient for me to apprize my court by the earliest occasion, of the proceedings of Wilson and his associates be sanctioned by this Government, of the virtual retraction of the assurances contained in your letter to me of the 7th of July, 1794, under the faith of which the commanders of his Majesty's ships have hitherto deemed themselves entitled to enter the ports of the United States without restriction, so often as their necessities or convenience should render it requisite for them to resort thither.

Before I conclude this letter, I cannot avoid adverting to some circumstances which particularly respect Wilson, and the other two individuals whom he selected as the bearers of his Mandate to Capt. Cochrane. The character of Daniel Bedinger is, in my estimation, sufficiently illustrated in my other letter of this date. John Cooper was (as I have reason to believe) commander of the privateer, the Vanstable illegally fitted out in the port of Norfolk, and dismantled by order of this Government in the river Delaware; and Wilson himself was the officer who (as it is represented in my letter to you of the 7th of June, 1794,) so successfully opposed the laws of this country in facilitating the departure of the merchant ships under the convoy of Rear Admiral Vanstable in the month of April, 1794, and in even directing the commander of an American Ship to join it; notwithstanding the provisions of the embargo imposed by the resolution which was passed by the two houses of Congress, and approved by the President on the 26th of March, 1794.

I have, &c.,

GEO. HAMMOND.

The Secretary of State.

Philadelphia, May 5th, 1795.

Sir,

Having received information from Mr. Hamilton, his Majesty's Consul at Norfolk, that a vessel which he had engaged to proceed on the evening of the 27th ult. to his Majesty's ship Thetis, then lying in Hampton Road, was prohibited from departing at that time in consequence of an order signed W. Wilson, of which I enclose a copy. I request that you will be pleased to inform me of the authority under which W. Wilson has been enabled to exercise this act of sovereignty that is not delegated to any branch whatsoever of this Government, the power of imposing an embargo on any vessel employed in prosecuting a lawful commerce.

I have, &c.,

GEO. HAMMOND.

The Secretary of State.

1795. Portsmouth. April 27th. 1795.

Sir,

May 4th I have the honor to inform you that I am charged with instructions from his Excellency the Governor of this Commonwealth, in the following words: "when any fleet, squadron, ship, or vessel of any belligerent nation shall clearly and unequivocally use the waters of Virginia adjacent or near your county as a station in order to carry on hostile expeditions from thence, you are hereby required to cause it to be notified to them that such conduct is deemed contrary to the rights of neutrality, and that a demand of retribution will be made by the Executive of the United States on their Government for all prizes which may be proved to be the consequence thereof."

I am further directed by his Excellency the Governor, to require of all the commanding officers of all such fleets, squadrons, ships, or vessels to depart forthwith.

In consequence of these instructions, Sir, and from the conduct of the commanders of the squadron of ships belonging to his Britanic Majesty under the command of Rear Admiral Murray, I conceive it to be my duty to notify to you as commander of the ships of his Britanic Majesty now in our waters, the instructions which I have received, and at the same time to inform you that a demand will be made by the Executive of the United States upon your Government, for all the captures which Admiral Murray's squadron have made, since they have used the waters of this State as a station from whence they have carried on hostile depredations.

I must also request that you and all the ships composing said squadron will forthwith depart.

It is possible that I may not be exactly informed of the ships which are under the particular orders of Rear Admiral Murray, but that you may clearly understand the ships which I request to depart, I have subjoined a list of them at the foot hereof.

I take the liberty of suggesting to you the propriety of liberating all American citizens which may be forcibly held on board any of the ships of your fleet, as no measure is more calculated to inflame the minds of the citizens of the United States than detaining any of them in your service against their inclinations.

I have received numerous complaints on this head, some particular instances of which Mr. Cowper and Mr. Bedinger will communicate to you, and I trust, sir, that motives of humanity and a regard to our sovereignty will induce you to immediately release all American citizens now on board any of your ships.

I rely on you to communicate the contents of this letter to all the commanders of his Britanic Majesty's ships named at foot, which a conceive come within the description of vessels who have used our waters as a station from whence they have carried on hostile depredations.

1795. May 8th

This letter will be handed by John Cowper and Daniel Bedinger, Esquires, two of our citizens, in whom I have confidence, and who will make on our part such explanations as may be required and proper to make.

I have, &c.,

W. WILSON, Lieutenant-Colonel.

List of ships alluded to in the preceding letter.

Resolution, Argonaut, Africa, Hussar, Cleopatra, Thetis, Lynx, L'Ouise.

True copy:

GEORGE HAMMOND.

Harvy:

You are not to depart from Norfolk till to-morrow morning, at which time I will see you upon business of importance. If you depart from hence before that time, ye do it on your peril.

(Signed) W. WILSON.

Monday evening, 27th April, '95.

A true copy:

GEO. HAMMOND.

The foregoing two letters of the 5th instant, from Mr. Hammond to the Secretary of State, together with the two enclosures of the 27th of April, from Mr. Wilson, are truly copied from the originals on file in the office of the Department of State.

GEO. TAYLOR, Jr., C. Clerk.

Department of State, May 6th, 1795.

Sir:

As far as your two letters of yesterday which I received this morning, relative to the conduct of Mr. Willis Wilson, will admit of a definitive answer at this moment, I shall readily give it. But it must occur to you that the order said to be signed by him is inapplicable to any precise case, bears so few marks of an official act, and stands so much in need of extrinsic explanation, that we must take some time to ascertain the facts. In doing this, no delay shall unnecessarily intervene. Perhaps however, the declaration which will be now made may apply to this case.

The first branch of your inquiry is, whether W. Wilson was authorized by the Federal Government to assert that a demand will be made by the Executive of the United States on the Government of Great Britain for all the captures which Admiral Murray's squadron have made since they have used the waters of Virginia as a station from whence they have carried on hostile depredations. I must refer you to

[illegible]

[illegible]

[illegible]

You cannot be uninformed of the circumstances which have occasioned the French Squadron now in New York, to seek an asylum in the ports of the United States. Driven by those where they were in fury by the superiority of the adverse party in the civil war, which has so unhappily afflicted the colonies of France, filled with the wretched fugitives from the same scenes of distress and desolation, without water or provisions for the shortest voyage, their vessels scarcely in condition to keep the sea at all, they were forced to seek the nearest ports in which they could be received and supplied with necessaries. 1796. May 8th.

That they have ever been out again to cruize, is a fact we have never heard, and which we believe to be impossible from the information received of their wants and other impediments to active service. This case has been noted specially to show that no inconvenience could have been produced to the trade of the other belligerent powers by the presence of this fleet in our harbours. I shall now proceed to more general ground.

France, England, and all other nations have a right to cruize on our coasts—a right not derived from our permission, but from the law of nature. To render this more advantageous, France has secured to herself by treaty with us (as she has done also by a Treaty with Great Britain in the event of a war with us or any other nation), two special rights—1st admission for her prizes and privateers into our ports. This by the 17th and 22nd articles is secured to her exclusively of her enemies, as is done for her in the like case by Great Britain, were her present war with us instead of Great Britain. 2nd, admission for her public vessels of war into our ports in cases of stress of weather, pirates, enemies, or other urgent necessity, to refresh, victual, repair, &c. This is not exclusive, as we are bound by treaty to receive the public armed vessels of France, and are not to exclude those of her enemies: the Executive have never denied the same right of asylum in our ports to the public armed vessels of your nation. They, as well as the French, are free to come into them in all cases of weather, pirates, enemies, or other urgent necessity, and to refresh, victual, repair, &c., and so many are those urgent necessities to vessels far from their own port, that we have through inquiries into the nature as well as the degrees of their necessities which drive them hither, as endless as they would be fruitless, and therefore have not made them, and the rather because there is a third right secured to neither by treaty, but due to both on the principles of hospitality between friendly nations—that of coming into our ports, not under the pressure of urgent necessity, but whenever their comfort or convenience induced them. On this ground also the two nations are on a footing.

As it has never been conceived that either would detain their ships of war in our ports when they were in a condition for action, we have never conceived it necessary to prescribe any limit to the time of their stay, nor can it be viewed as an injury to either party, to let their one

1795. May 8th

mies lie idle in our ports from years end to years end if they chuse it. Thus then the public ships of war of both nations enjoy perfect equality in our ports—1st, in cases of urgent necessity; 2nd, in cases of comfort or convenience; and 3rd, in the time they chuse to continue. And all a friendly power can ask from another is, to extend to her the same indulgencies which she extends to other friendly powers. And though the admission of the prizes and privateers of France is exclusive, yet it is the effect of Treaty made long ago for valuable considerations, not with a view to the present circumstances, nor against any nation in particular, but all in general; and may therefore be faithfully observed without offence to any; and we mean faithfully to observe it.

The same exclusive article has been stipulated, as was before observed, by Great Britain in her treaty with France, and indeed is to be found in the treaties between most nations.

With respect to the usurpation of admiralty jurisdiction by the Consuls of France within these States, the honor and rights of the States themselves were sufficient motives for the Executive to take measures to prevent its continuance as soon as they were apprized of it. They have been led by particular considerations to await the effect of these measures, believing they would be sufficient, but finding at length they were not, such others have been lately taken as can no longer fail to suppress this irregularity completely.

The President is duly sensible of the character of the act of opposition made to the service of legal process on the Brig William Tell, and he presumes the representations made on that subject to the Minister of France will have the effect of opening a free access to the officer of justice when he shall again present himself with the precept of his court.

I have, &c.,

TH. JEFFERSON.

Mr. Hammond, Minister Plenipt. of His Britanic Majesty.

True copy from record:

GEORGE TAYLOR, Jr.,
C. Clerk Dep't State.

Philadelphia, July 7th, 1795.

Sir:

Altho' I have it not in my power to answer your letter of this morning under the immediate instructions of the President of the United States, yet in his conduct have I seen so unvaried a course of impartiality towards the belligerant nations, that I may venture to assure you (if indeed it can be necessary to repeat such an assurance)

that the letter of my predecessor of the 9th of September, 1793, will be adhered to. 1795. May 8th

I have, &c.,

EDM. RANDOLPH.

Mr. Hammond, Minister Plenipo'ry of His Britanic Majesty.

True copy from the records of the Department of State:

GEO. TAYLOR, JR.

8th May, 1795.

W. WILSON TO THE GOVERNOR. May 9th

I beg leave to inform your Excellency that I have received the instructions of the Executive, countermanding that part of my former instructions which require "the departure of the vessels of war of the belligerent nations coming under the predicament therein described, and in case of refusal to use the most effectual means to prevent their receiving or experiencing any aid, assistance, or comfort from any of the inhabitants of this Commonwealth," and I have in conformity thereto, made known the same to all within my jurisdiction who come within its purview, with a notification that the former part of that communication (which I recited at large) is not to be dispensed with, but will be vigorously enforced. I will with great pleasure communicate to your Excellency every occurrence that may happen upon this or any other public business. Portsmouth

I have, &c.

EDMUND RANDOLPH TO THE GOVERNOR. May 9th

I do myself the honor of requesting your Excellency's attention to the enclosed copies of a letter from Mr. Hammond, of a declaration of Thomas Butler, and of his original affidavit. Justice to Mr. Bedinger is a sufficient motive for an enquiry, and that inquiry I take the liberty of recommending to your instruction, he being a magistrate of Virginia, and the act complained of being in that character. Department of State

You will oblige me, sir, by as speedy a communication of the result as may be convenient.

I have, &c.

Extract of a letter from Hammond to the Secretary of State, dated May 5th, 1795.

The paper marked 1 is the voluntary declaration of Thomas Butler, the pilot, subscribed by him in the presence of several witnesses. From this declaration, which in my opinion satisfactorily refutes the princi-

1795. May 9th

pal part of the statement contained in the pretended affidavit signed Daniel Bedinger, inclosed in your letter of the 8th ultimo, it appears, that the ship Harmony was in the possession of seamen belonging to his Majesty's ship Argonaut, at the time of her being boarded by Thos. Butler, and was not made a prize after he had taken charge of her as a pilot. That in contradiction of the assertion in the pretended affidavit, he (Butler) had never any knowledge of the appraisement or equipment of L'Esperance, nor was any offer made to him by Admiral Murray to serve in her as a pilot. That he (Butler) never deposed to many of the articles said to have been sworn to by him; and that as he can neither read nor write, he presumed from what he had heard read to him, that Mr. Bedinger has perverted his deposition as he saw fit. In regard to this last circumstance, of a man invested with the sacred character of a magistrate, having abused the confidence of an illiterate person so far as to represent him as swearing to the truth of facts, of which he was entirely ignorant, I can only express my hope that for the honor of human nature, you will be furnished with evidence sufficent to repel the solemn voluntary declaration of Butler. If, however, Bedinger should be incapable of exhibiting to you such exculpatory testimony as will exonerate him from the criminality attached to his conduct as a magistrate, I take the liberty of farther remarking to you, sir, that he is employed by the Federal Government in the collection of customs in the port of Norfolk. You will permit me also to observe on this affidavit transmitted to me by you, that as it is not subscribed by the person of whom it pretends to be the deposition, and is signed by Daniel Bedinger only, I am inclined to believe that this omission was premeditated by him, for having asserted in the body of the affidavit that Butler "saw written instructions" to a certain effect, and knowing that that person could neither read nor write, it is possible that Bedinger was apprehensive lest the circumstance of Butler's mark alone might have a suspicious appearance. If this omission had not escaped my notice at the time of my writing my letter of the 10th ult., I should unquestionably have animadverted on your transmission to me of a document purporting to be a deposition before a magistrate, which was deficient in its most essential formality—the subscription of the person by whom it is asserted to have been made.

True extract:

GEORGE TAYLOR, Jr.

1.

Declaration of Thomas Butler, Branch pilot at Norfolk.

Declares, that he had never any knowledge of the appraisement or equipment of L'Esperance, and that no offer to go on board her as a pilot for the coast was made to him by Admiral Murray.

On hearing his deposition read to him as transmitted by Mr. Hammond, declares that he never deposed to many of the articles said to have been sworn to by him; that he can neither read nor write, but from what he has heard read to him, he presumes Mr. Bedinger has perverted his deposition as he saw fit. He positively declares that the Harmony was in possession of the British when he boarded her, whether it was on the day of her detention or a day afterwards, he cannot determine. Declares also that on boarding her, the only Americans he found were Capt. Robertson and one man; the others were a British officer and several British seamen. That he piloted the ship next forenoon into the Chesapeake, when he anchored in Lynham bay about 11 o'clock. The same day he was sent on board the Argonaut, he there saw the American Seamen belonging to the Harmony—several of whom he was acquainted with, and associated much with them whilst together in the Argonaut. 1795. May 9th

Declares he is now on board his Britanic Majesty's ship Thetis, in order to pilot her to sea.

That what is herein-before specified, has been read to him before witnesses; in whose presence he makes his mark to the truth (of his) the preceding declaration.

Done on board his Majesty's ship Thetis, in Hampton Roads, this 23d day of April, 1795.

his
THOMAS ⋈ BUTLER.
mark.

Witnesses: A. Pavot, 3rd Lieutenant Thetis; Andres Mackie, Master; John Williamson of Norfolk, Shipwright; Warren Hopkin of Hampton, Shipwright; Robert Borland of Portsmouth, House Carpenter.

He further declares, That Mr. Bedinger waited on him and told him it was the Governor's desire he should depose to what he knew relative to the ship Harmony. The mayor of the Town also spoke to him on the same subject, and said we must have you before us to make your deposition.

his
THOMAS ⋈ BUTLER.
mark.

Witnesses: Thomas Phelps, Purser, Thetis; John Williamson of Norfolk, Shipwright.

True Copy:

GEO. HAMMOND.

True copy:

GEO. TAYLOR.

1795. Norfolk Borough, sct:

May 9th Personally appeared before me, Daniel Bedinger, an Alderman of the Borough aforesaid, Thomas Butler, pilot of lawful age, and being duly sworn on the holy evangelists of Almighty God, deposeth and saith: That some time on or about the beginning of January last, (he does not recollect the particular day), He (this deponent) went out to sea in his pilot boat in quest of vessels; that on the second day after passing Cape Henry, he spoke and boarded the ship Harmony of Baltimore, from France, bound to Norfolk; that soon after he had taken charge of her as a pilot, the British ship Argonaut came up with and made a prize of the said ship Harmony; that he (this deponent) remained on board the Harmony and piloted her (under the direction of the Captors) into Lynhaven bay, where the Resolution (commanded by Admiral Murray) and several other British vessels were there riding at anchor; that Admiral Murray ordered the said ship Harmony to be carried to Bermuda from Lynhaven bay aforesaid, where she had been brought to anchor, and that he (this deponent) saw written instructions to that effect—after which he was carried on board the Admiral's ship, where he was detained four days in order (as he was informed) that he might not give timely information of the foregoing particulars; and this deponent further sayeth that on his arrival in Lynhaven bay, as before related, he there found (properly moored) the French sloop of war L'esperance (a prize also to the Argonaut); that he understood from the officers and people on board the Resolution that the sloop of war had been taken some days before, brought to where she then lay, and there valued or appraised; that the Admiral took her to himself at the said valuation or appraisement, and that the said prize (sloop of war L'esperance) was then and there manned and fitted for a cruize. He further declares that offers were made to him (this deponent) by the Admiral himself to engage as a pilot for said sloop of war during his intended cruize on the coast, which offers he (this deponent) rejected; and that when he was at length permitted to leave the Resolution in order to return home the said prize sloop of war L'esperance was still moored in Lynhaven bay.

And further this deponent sayeth not.

Given under my hand this 24th day of March, 1795.

(Signed) DANIEL BEDINGER.

A true copy:

GEO. TAYLOR, Jr.

May 9th E. Langham to the Governor.

Columbia My contract for supplies of provisions at the arsenal ends the 31st instant. I am willing to continue the contract till the first of October, at

which time (being a proper season) the contract may be renewed, or the business again let to the lowest bidder, as may be agreeable to the Honorable the Executive, the Superintendent, &c. 1795. May 9th

The time to the end of my contract is but short, therefore your sentiments on the subject to Major Quarles can't come too early to hand.

I have, &c.

THOMAS WYLDS TO THE GOVERNOR. May 9th

In the month of September last, being at that time commissary for the troops employed on the fortifications of Norfolk harbour, I was desired by Colonel Thomas Newton, of this borough, agreeable to orders from his Excellency, the late Governor Lee, to furnish Captain Laud. Carter's company of artillery with provisions, agreeably to law, while the said company were employed on the fortification of Fort Nelson. Norfolk

I complied with Colonel Newton's request, and have made out my return accordingly signed by Col. Newton and Major Wm. Graves, which has been sent on to the late Governor and Council some months past, and having never received compensation as yet, I hope the length of time will be a sufficient apology for troubling your Excellency by wishing you to have enquiry made respecting the business, and be kind enough to let me hear what prospect I may expect.

I am, &c.

ROBERT QUARLES TO THE GOVERNOR. May 9th

Until this moment I never recollected that the term for which my present commissary has contracted to supply this post with rations, expires on the last day of this month. I must therefore solicit the advice of the honorable board on this subject, and hope to be furnished with their instructions time enough to advertise the letting of the office, so as to guard against any inconvenience respecting the regular supplies of provisions, &c. State Arsenal

I shall have no objection to the continuance of my present contractor, provided it is agreeable to him, on the terms heretofore existing between us.

I have, &c.

At a court held at Chesterfield County Courthouse on Monday, the 11th day of May, 1795, for the trial of Sam, the property of Charles Burton, charged with having committed a rape on the body of Sally May 9th

1795. Wise, a white girl of this county, on the night of the second of the
May 9th present month:

Present—George Markham, Roger Atkinson, John Hill, Archibald Walthall, Archibald Baugh—Justices.

The prisoner being led to the bar and arraigned of the premises, pleaded not guilty; thereupon sundry witnesses were sworn and examined, and the prisoner heard in his own defence, upon consideration whereof, it seems to the court here that the prisoner is guilty of the charge aforesaid in manner and form as the same against him is alleged, therefore it is ordered that the said prisoner be hanged by the neck until he be dead, and it is said to the sheriff that execution thereof be done on the 12th day of June next.

Memo.—The Court valued the said Sam. to £75.

(Signed) GEO. MARKHAM,
ROGER ATKINSON,
ARCH. WALTHALL,
ARCH. BAUGH,
JOHN HILL.

Copy—Teste:

T. WATKINS, C. C.

May 11th

JOHN STEELE TO THE GOVERNOR.

Phila-
delphia

Your letter of the 4th instant and a number of vouchers enclosed with it were rec'd. I shall attend to them with pleasure, and flatter myself that a very few days will complete the business. Mr. Pendleton has not specified for what year Mr. Pryor was allowed 10 cents per ration; and there is no abstract of his here except for 1793. That allowance was by a special order of the Board, and not contract, as Mr. Pendleton has charged it.

By next post I will be able to write with more certainty on the subject; and

Am, sir, &c.

May 12th

WYATT COLEMAN TO THE GOVERNOR.

Praying that he may not be deprived of the office of the Keeper of the Capitol, and detailing the duties discharged by him in connection therewith.

May 12th

SAMUEL COLEMAN TO THE GOVERNOR.

Richmond

Praying that the office of Keeper of the Capitol may not be taken from his father, Wyatt Coleman, in view of his age and poverty.

JOHN STEELE TO THE GOVERNOR. 1795.

In my last I promised to write with more certainty on a particular subject. This I cannot do, as no progress has since been made in the business. May 13th Philadelphia

Mr. Preston informed me that some of the Western claimants were in Richmond waiting for my return. If I thought partial payments would be made by the Board I would endeavour to obtain and send partial drafts to meet their demands. As some deductions and alterations have been made, it will be proper not to pay in full until a copy of the settlement comes on in which all the alterations will be noted.

I have, &c.,

JOHN BOWYER TO THE GOVERNOR. May 13th

There is a compleat company of Light Infantry Inlisted by the Captain and his under officers for the second Battalion in Rockbridge county. The officers have made every exertion in their power since their appointment to compleat the same, which they have done, except Muskets and Bayonets, which are not to be had here. If your Excellency would please to order the above company to be furnished with the above articles from the Magazine belonging to this state, the Captain who commands the company will give you sufficient security, if Required, for the safe-keeping and return of the arms when demanded. Capt. James Caruthers is a man of undoubted character, and may be depended upon for anything he undertakes to do. Rockbridge

I am, &c.

WILLIAM MCKEE TO THE GOVERNOR. May 14th

The bearer, Capt. James Caruthers, hath enlisted a Company of Light Infantry in the Eighth Regiment of Militia, consisting of about seventy active young men who seem very capable and desirous of learning Military skill. But one difficulty lays in the way—that is, the want of proper arms; without which it is impracticable, and it appears out of their power to obtain them of their own. Should the honorable the Executive deem it proper to furnish the Company with a sufficient number of Muskets, Bayonets, and Cartouche Boxes from the Magazine, I should think it would be employing them to a valuable purpose. The Captain would be careful of the arms, and give such receipts and comply with such directions as your Honorable Board would direct; and if my vouching for his strict compliance would add to the board's confi-

1795. May 14th

dence in him on this business, I most cheerfully pass my word on his behalf.

Your circular letter requesting the ranks of the several grades of officers in this Reg't to be adjusted, came to hand, but had been delayed. I have appointed a Board for the purpose, who meet the first Tuesday in next month, and will as soon as possible send their proceedings.

I have, &c.

I consent that Captain Roger Gregory should have arms for his company of Light Infantry upon the same terms that the other companies have been furnished, and that it be entered in the proceedings of the day.

JAMES WOOD,
ROBERT GOODE,
CARTER BRAXTON,
LARKIN SMITH.

Colonel Coleman will please deliver the arms agreeably to the within order.

ROBERT BROOKE.

Received of Samuel Coleman forty muskets without bayonets or cartridge boxes, which I promise to return in equal good order when called upon for that purpose, or bind myself, my heirs, &c., to make good such as may not be returned.

ROGER GREGORY, Jr.

Richmond, May 14th, 1795.

Teste:

ELISHA PRICE.

May 14th

THOMAS MIFFLIN TO THE GOVERNOR.

Philadelphia

I have the honor to acknowledge the receipt of your letter of the fourth instant, and a copy of the Revised Laws of Virginia, for which I request you will accept my best thanks.

I have, &c.

May 14th

B. GREEN TO THE GOVERNOR.

Norfolk

This moment arrived from Baltimore Captain Deogrel, in whence came passenger Major Rivardie, who informs me the Federal troops are to proceed to West Point Fort. Should that take place, I hope your Excellency will station me at Fort Norfolk in preference to Fort Nelson, it being more convenient for the company (having no water to cross). The Grenadier company of Portsmouth is sufficient for Fort

Nelson, if I done give my opinion, and the company of artillery under my command are ready and willing to do duty at Fort Norfolk if it should meet with the approbation of your Excellency. 1795. May 14th

With, &c.

THE AUDITOR'S REPORT ON COLONEL DAVIES' ACCOUNT.

The Auditor does not know of any obstacles to the settlement of Mr. Davies' account (it would seem indeed as if a final settlement never should take place), that gentleman having received his appointment from the Executive, and all the expenses of his office being of a contingent nature, the Auditor thought it would be proper for the Honorable Board to direct him to settle any account exhibited by Colonel Davies' relative to that business. This was all he mentioned to him. He claims now a balance due on the account rendered in October '93, No. 1, and a further balance on one just now rendered, No. 2. The Auditor expected when the dissection was performed all complaints would consequently subside, but it remains for the faculty of Government to apply further remedies, and the Auditor is ready on the order of the Honorable Board to examine the case and administer another anodyne—an antidote is not to be found in the whole Materia Medica.

JOHN STEELE TO THE GOVERNOR. May 15th

In a former letter I mentioned that part of the rolls of Clendennin and Mann's companies could not be found among the papers. The were since found upon the table of the Secretary, and I will now be able to close the account, except General Tate's pay and such accounts as may yet be presented for ammunition. Philadelphia

There is a strong disposition to reject the account of one hundred and sixteen dollars paid in advance to Major John Pryor for bringing on the papers. They think the charge enormous compared with postage or express hire, and as no settlement was made will not admit it, on the score of his attention to that object. The ground of confidence only is left on which to urge the admission of it.

With, &c.

THOMAS NEWTON TO THE GOVERNOR. May 16th

Doubts having arisen whether your Excellency's proclamation extends to the Bermuda and the Bahama Islands, a sloop arrived from the former, which has caused this enquiry, and the enclosed letters will

1795. May 16th

show what has passed thereon. I beg leave to observe that there is as much danger from the Mississippi and those Islands and the Spanish, French and Dutch Settlements on the main as the Islands, and find that Pennsylvania has particularly guarded against them. Your opinion on this subject will oblige me.

I have a boat employed, and am afraid from circumstances I shall be obliged to keep one. Orders I hear are come on to withdraw the garrison from our Forts. If this is the case the boat will be necessary, if not I shall discharge her. No news.

Yours, &c.

SIR:

Since writing this a vessel has arrived from Providence who missed the lookout boat, she being here to report to me, and came immediately up without stopping. I have ordered her down again, and shall be exceedingly obliged for your Excellency's opinion by next post what I am to do with vessels in this predicament. Many are of opinion that the Bahamas are not included in your proclamation. The crew is in health and small, not being above five in number.

I am, &c.

14th May, 1795.

SIR:

The sloop Prince William Henry is arrived at the Fort from Jamaica, last from Bermuda. She left Jamaica 25th of February and Bermuda the 4th instant. The people are all healthy, but we are informed she is detained to perform quarantine. If there is no good ground for detention we shall be glad the necessary permission is afforded this vessel, or that we are informed under what predicament she is considered.

We are, sir, &c.,

SILBERT, ROBERTSON & MUNRO.

May 14th, 1795.

Mr. Gilbert Robertson:

Before the arrival of the Prince William Henry 20 days was fixed on for all vessels to lie before admitted to come up to the towns, including the days of sailing and arrival.

The Governor has been informed thereof, and I cannot dispense with the rule. This vessel was spoke with by the officers commanding the lookout boat, and treated uncivilly by not answering his demands as the law directs. The 23d instant she will be discharged according to the rule laid down. The Captain infringed our laws by coming up yesterday.

I am, &c.

THOS. NEWTON.

INDEX.

A

ABBOTT, JOHN..... 160

ACCOMACK COUNTY.
Number of Militia.....161, 167

ACTIVE, Schooner..... 238

ADAMS, JOHN, Vice-President United States and President Senate.....84, 210

ADAMS, MORDECAI..... 85

ADAMS, RO..... 147

ADAMS, THOS. B..... 258

AINSWORTH, CAPT.....325, 329

AKIN, JOS., D. C., P. C..... 196

ALBEMARLE COUNTY.
Destruction of Records..... 10
Number of Militia.....164, 166

ALCOCKE, ROBERT.
To the Governor; complaining of omission of Madison county court in not recommending him for sheriffalty..... 227

ALDERSON, GEORGE..... 284

ALEXANDER, CHARLES.
To the Governor; declines sheriffalty of Fairfax, and recommends Col. Payne for same.....269–70

ALEXANDER, MAJOR..... 357

ALEXANDER, W..... 1

ALEXANDRIA.
Fifty-five vessels entered by Dr. Dick during the contagion in Philadelphia..... 1
Bank of.....6, 34, 325
Fortification of.....93–5, 186
Statement of Bank of..... 419

ALLEN, JAMES, Jr..... 348–9

ALLEN, Mr..... 365

ALLEN, SAMUEL.....344, 360

ALLEN, THOS.
Prays for remission of fine..... 149

ALLMANCE, EDMUND..... 295

ALLOWAY, Mr..... 278

ALLYN, ROBERT..... 238

ALSBURY, ELIZABETH..... 340

ALVEY, BILBY H.
To the Governor; is unacquainted with the sentiment of the people of Surry county, 311

AMBLER, JACQUELIN, Treasurer.
To the Governor; relating to the arrearage of taxes now due..... 279
Report of disbursements and discounts..... 329
To the Lieut.-Governor; relating to priority of payments at the treasury..... 349
To ——; relating to warrant for James River company..... 353
To James Wood..... 363
To the Governor; relating to balances of the last calls due to the canal companies, 397
Chosen treasurer..... 399
Reports a payment into the treasury by John Syme to the credit of Farrel & Jones, 482

AMELIA COUNTY.
Number of militia..... 161

AMHERST COUNTY.
Number of militia..... 163, 166
Militia officers of..... 187

ANDERSON, BARHELOT, Escheator.
To the Governor; transmitting list of escheated property..... 84-6
Escheator for Hanover..... 86

ANDERSON, JAMES..... 187

ANDERSON, Mr..... 389, 400

ANDERSON, NAT.
Solicits an agency..... 21

ANDERSON, RICHARD.
Dead..... 129

ANDERSON, WILLIAM..... 86

ANDREWS, Mr..... 386

ANDREWS, ROBERT.
To the Governor; forwarding the recommendation of Hustings courts of Williamsburg for officers of militia..... 210
To the Governor; Relating to procurement of money for Lunatic Hospital at Williamsburg..... 214-15

ANN, Brig..... 139

APPRAISEMENT.
Of damages done to public hospital by the French..... 295

ARCHER, ABRAHAM..... 139

ARCHER, EDWARD..... 86
To Robert Goode; prays indulgence of his bond..... 150

ARMISTEAD, GEORGE..... 467

ARMISTEAD, WILLIAM 54

ARMORY.
Statement in relation to 335-6
Statement regarding 369-70

ARMS.
Manufacture of 36, 81, 88, 341
Expense of State manufacture of 88-9
Sent to Richmond 106
From State manufactory 115-16
For Prince George county 122
Cannon at Richmond 148
Lent by Virginia to the United States in the whiskey insurrection 319
Furnished from State arsenal 341-2

AUGUSTA COUNTY.
Number of militia 163

ARMSTRONG, M.
To John Pendleton; relating to judgment against Warmal, late sheriff of Monongalia 187

ARNOLD.
Papers destroyed by 45

ARTILLERY.
Officers of, at Fredericksburg, to the Governor; relative to prices of ordnance for the company 60-61

ASHLEY 160

ATKINSON 160

ATKINSON, ROGER 500

ATWELL, HUGH 169

ATWELL, JOHN 169

AST, WILLIAM FREDERICK.
To the Governor; relating to his scheme for marine insurance 190

AUDITOR'S REPORT.
On Colonel Davies' account 503

AUSTIN, CHAPMAN.
Solicits an agency 20

AUSTIN, MORRIS.
To John Steele; relating to general court-martial on a case of review 448-9

AUSTIN, MOSES 413

AUSTIN, REUBEN 36

AZOR, a free negro man 23

B

BAILEY, JOHN 399

BAILEY, Mr. 425

BAILEY, THOMAS 42-3

BAIRD, Dr 448

BAKER, THOMAS 436

BALDWIN, FRANCIS 380

BALLENGER, DUDLEY 65

BALLENGER, JEREMIAH 65

BALLENGER, JOSEPH 65

BALLENTINE 361

BALTIMORE.
Contagious fever in 350

BANK OF ALEXANDRIA.
Balance 6, 60

BANKS, HENRY.
To Lieutenant-Governor Wood: asks to exchange bad muskets for good ones for company of grenadiers 120
To the Governor: solicits appointment in militia 155

BARBOUR, JAMES 227

BARBOUR, RICHARD.
Recommended as agent 17

BARKSDALE, PETER.
Recommended as agent 6, 18

BARNETT 169

BARNETT, COLONEL 100, 117

BARNETT, Mr 400

BARNES, WM.
To the Governor: enclosing list of men composing independent volunteer company 168-9

BARRETT, DR 460

BARRETT, JOHN, Mayor of Richmond.
To the Governor: relating to French emigrants from St. Domingo 14

BARROW, HENRY.
Recommended for office of surveyor 471

BARRONIER.
To the Governor: relating to a threat of imprisonment 255-6

BARRY 160

BART, JEAN, French ship of war 76

BATH COUNTY.
Number of militia 166

BASSETT, Mr 374, 400

BATE, RICHARD, Second Lieutenant 124

BAUGH, ARCHIBALD..... 500

BAUGH, RICHARD..... 36

BAYLOR, Mr..... 400

BAYLY, Mr..... 258

BAYTOP, COLONEL..... 123

BAYTOP, Mr..... 386, 399

BAYTOP, JAMES..... 123

BAYONET.
Manufacture of..... 202

BAYONET, MILL.
Letter relating to..... 88

BEALE, RO.
Solicits agency..... 17

BECKLEY, JOHN.
To the Governor; forwarding copies of Journal of House of Representatives..... 236, 392
To the Governor; transmits three copies of Journal of Congress..... 471

BEDFORD, ROBERT.
To the Governor; relating to warrant of Hue and Cry against the persons who stole the children of Peggy Howell..... 194, 207

BEDFORD COUNTY.
Number of militia..... 162, 166
Militia of..... 205-6

BEDINGER, DANIEL..... 81, 106, 157, 472, 488, 490, 495-8
To the Governor; list of cannon at Norfolk and Portsmouth..... 104-5
To James Wood, Lieutenant-Governor; relating to certain charges of Mr. Hammond, the British Minister, against him and others..... 308-9
To General Wood; relating to a refusal of privileges to a neutral in our waters. ... 317
To the Governor; relating to the French Corvette taken off the Capes..... 457
To the Governor; relating to the deposition of Thomas Butler..... 483

BEN, a negro man slave.
Convicted of felony in New Kent County Court; recommended for mercy..... 239-40

BENCH, CAPT., Indian Chief..... 109, 112, 118, 124

BENNETT, COLONEL..... 115

BENNET, WILLIAM..... 345

BENTLY, Mr..... 386, 399

BENTLY, WILLIAM..... 192

BERISFORD, CAPTAIN..... 473

BERKELEY, WM., Clerk to Treasurer..... 342

BERKELEY, EDMUND, Clerk..... 326

BERKELEY, WILLIAM..... 354, 378

BERKELEY COUNTY.
Number of militia..... 164-5

BIBB, MAJOR.
Recommended as agent ... 21

BIBB, RICHARD.
Solicits agency ... 25

BIGGS ... 160

BIGGS, BENJAMIN.
To the Governor; a controversy between Capt. John McCullock; and relative to Lieut. Jos. Biggs, and a court-martial on Lieut. Jos. Biggs ... 18–19
To the Governor; relative to scouts and rangers on winter establishment ... 19
Orders court-martial on Lieut. Jos. Biggs ... 89
To the Governor; relating to the posting of rangers for the defence of the Western frontier ... 95–6
To the Governor; relating to murders at various points on the frontier by Indians, 180

BIGGS, BRIGADIER-GENERAL ... 181, 363, 452
Authorized to call into service eight scouts for the protection of Ohio county and six for the county of Harrison ... 424

BIGGS, JOSEPH, Lieutenant ... 7, 18, 299
Court-martialed ... 89
To Moses Chapline; enclosing charges against Capt. John McCollock ... 178
Prefers charges against Capt. John McCullock ... 196
Court-martialed by John McCulloch ... 28

BIGSBY ... 160

BILBRO ... 314

BILLS, BENJAMIN.
To the Governor; relating to the situation of the western frontiers ... 463

BILLUPS, GEORGE ... 157, 295

BIRCHETT, Mr ... 400

BIRD, PHIL.
Not qualified ... 129

BLACK, JOHN ... 249

BLACK, Mr ... 290

BLACK, THOS ... 423

BLACKBURN, COL. RICHARD ... 65

BLAKE, LEWIS ... 327

BLACKSTONE, JOHN ... 125

BLACKWELL, JOHN ... 410–11
To James Wood, Lieutenant-Governor; expenses of the detachment from the fifth Brigade to the general rendezvous at Winchester ... 370

BLAIR, ARCHIBALD, C. C ... 55, 57, 74, 121, 258, 384, 423–5, 454
To G. Deneale; informs him that his request to retain arms received at Winchester could not be granted ... 432

BLAND, JAMES, C. W. C ... 378

BLANSETT ... 169

BLANY, CAPT ... 450

BLEDSOE, A. 109

BLOUNT, GOVERNOR. 124, 208, 272

BLUNT, BENJAMIN.
To the Governor; relating to a murder committed in Southampton county by John Williford on Josiah Worrell. 432–5

BOANS, CAPT. 140

BOARLAND, ROBERT. 295

BOGARD, CAPT. CORNELIUS. 68, 216, 298, 372, 379, 448, 460, 443, 469
To the Governor; relating to company of volunteer raised for defence of Monongalia district. 260

BOGGS, WILLIAM. 59, 179, 181

BOHANNON, JOSEPH.
Prays for remission of fine. 149

BOND, BONORALL. 65

BOOKER, G. 293

BOONE, COL. 406

BOOTON, LABAN. 284

BOOTON, LEWIS. 283

BORLAND, ROBERT. 497
To Doctor James Taylor; relating to hospital at Norfolk. 132

BOTETOURT COUNTY.
Number of militia. 164

BOUN, ROBERT. 429

BOUNDARY.
Arthur Campbell, relating to that between Virginia and Kentucky. 450

BOUSHE, BENNETT. 439

BOWEN, CAPT. 134

BOWLER, CAPT. RICHARD. 121
Return of his company of 19th regiment; also arms of same. 100

BOWYER. 342

BOWYER, CAPT. 446
Bond as agent. 35

BOWYER, JOHN.
Appointed escheator for county of Rockbridge. 105
To the Governor; relating to a company of light infantry in Rockbridge county. 501

BOWER, Mr. 386

BOYCE, MAJOR WM. 307

BOYCE, WILL.
To the Governor; relating to arrest of ship Unicorn. 232–3

BOYLE. 169

BRADBY, GENERAL..... 224, 330, 334

BRADBY, JAMES A.
To the Governor; soliciting his opinion on the militia law..... 140-2
To the Governor; relative to the opposition in Surry county to the intended draft of men to serve for the suppression of the whiskey insurrection..... 314

BRADBY..... 342

BRADBY'S BRIGADE..... 343

BRADBY, JAMES A.
To the Executive; relating to the publication of his letter in a newspaper..... 357-9

BRADFORD, Mr., Attorney-General U. S.
Relating to settlement of public accounts between Virginia and the United States, 22

BRADBURY, CAPTAIN, of ship Harriot of Newburyport..... 23

BRADFORD, DAVID.
To John McCally, Kinney Robinson, Thos. Cottral, and John Black; relating to the opposition to the excise law..... 249

BRADLEY, JAMES A.
To the Governor; relating to division orders received by him..... 306-7
To the Governor; soliciting for the Eighth Brigade an equal number of cannon with the others..... 172

BRADLEY, WM..... 191-2

BRAGG, THOS..... 138

BRAMBLE, CAPT..... 438

BRANAN, JOHN..... 436

BRANDER, JAMES..... 36

BRANDON, Ship..... 138, 148

BRANLOUT, Mr..... 480

BRAXTON, CARTER..... 502
Qualification as member of Council of State..... 151

BRAXTON, CARTER Jr., Commonwealth's Attorney..... 176, 326-7

BRAXTON, Mr..... 386, 399

BRECKENRIDGE, JAMES..... 91, 395
To the Governor; transmitting bonds of Capt. Bowyer and John Taylor as agents... 35

BRECKENRIDGE, GEO..... 85

BRECKENRIDGE, H. H.
To Tench Cox; relative to opposition to excise law..... 251-3

BRECKENRIDGE, Mr..... 280

BREDIN, JAMES.
Took the oath of fidelity in Washington county..... 397

BREDIN, SAMUEL.
Took the oath of fidelity in Washington county..... 397

ŁEND, THOS. and Archibald Currie.
To the Governor; solicit an advance for binding the laws of the state..... 350

ŁENT, COL..... 123

ŁENT, DAN'L CARROLL.
To the Governor; recommends Enoch Mason as agent..... 9
To the Governor; relating to a murder in Stafford by Powell on Mountjoy..... 68

ŁENT, THOS..... 483

ŁENT, WILLIAM..... 123

ŁEWSTER, DR..... 483

ŁIGADIER OF THE DISTRICT.
Directed to order out thirty militia for the town of Norfolk, and twenty for Portsmouth..... 425

ŁIGANTINE ANN, of Princeton..... 133

ŁISTOW ESTATE.
Relating to suits against the tenants of..... 20
Tenants of: Chas. Ewell, Alexander Compton, John Jackson, David Renor, William Flagus, Bondvale Brown, Jeremiah Ballenger, Alexander Ross, Wm. Milstead, Dudley Ballenger, Dudley Betty, Ezikiah Dunnington, Jos. Ballenger, Gustavus Scott, John Peyton Horton, Wm. Clinkscales, Margaret Foster, Catherine Davis, and Benjamin Posey..... 65
Papers relating to..... 63–6, 79

ŁISTOW, ROBERT..... 63, 65

ŁISTOW, MARY..... 63

ŁISTOW, RICHARD..... 63

ŁITISH.
Attack on sailors by citizens of Yorktown..... 133
Outrage on American citizens..... 150
Feeling against the..... 172
Sailors conflict with citizens of Hampton..... 486
Ships at Norfolk, correspondence regarding..... 420–22

ŁOADDUS, Mr..... 419

ŁOCK, WM..... 157

ŁOKENBROUGH, JOHN.
To the Governor; sends account as superintendent of quarantine..... 370

ŁON, ANTHONY..... 327

ŁONAUGH..... 169

ŁONAUGH, THOS..... 410–11

ŁOUDE, Mr..... 15

ŁOOKE..... 169

ŁOOKE, E.
Recommended as agent..... 17

ŁOOKE, EDMUND.
Recommended as agent..... 18

BROOKE, GOVERNOR.....432, 502

BROOKE, H., C. S.....368, 370, 374
Recommends Thos. Chilton as agent..... 3
Solicits agency..... 17

BROOKE, RICHARD..... 120
Acting..... 129

BROOKE, ROBERT.
To the Governor, relating to his attendance on escheator in the county of Frederick..... 4
Recommends Edmund Brooke as agent..... 18
Recommends Lawrence Muse as agent..... 25
To the Governor; relating to the title of Commonwealth to Manor of Leeds in Shenandoah county..... 130
To the Governor; relating to inquisition in county of Fairfax..... 159
To the Governor; relating to inquisition found for Commonwealth in county of Loudoun, quashed for informality..... 158-9
To James Wood, Lieutenant-Governor; informs him that he attended the escheators for the counties of Fauquier and Frederick, relating to the Manor of Leeds, 352-3
Elected Governor of Virginia..... 374
Qualified as Governor..... 385

BROOKING..... 271

BROUGH, ROBERT..... 483

BROUGH, Mr..... 321

BROUGH, WM..... 486

BROWN, J.
To the Governor; sends list of inquisitions of escheat..... 66

BROWN, J., C. C. A..... 101

BROWN, JOHN, First Lieutenant..... 124

BROWN, JOS. C..... 36

BROWN, Mr., Senator from Kentucky..... 320

BRUNSWICK COUNTY.
Number of militia..... 165-7

BRYAN, JAMES..... 337

BRYANT, JAMES..... 83

BUCHANAN, ALEXANDER..... 210

BUCKINGHAM COUNTY.
Recommendations for Col. Commandant..... 344
Relating to Colonel Commandant..... 360
Number of militia..... 163
Relating to Colonel Commandant..... 364-5

BUCKINGHAM FURNACE..... 254

BUCKNALL, JOHN ASKILL..... 63

BUCKNER, AYLETT..... 412

BUCKNER, WM..... 467

FORD, HENRY..... 391

LLITT, Mr..... 20

RGESS, Mr..... 119

RK..... 160

RKE, JOHN..... 384

RNLEY, HARDIN..... 391

RT..... 160

RTON, CHARLES..... 499

RWELL..... 271

RWELL, CAPT..... 339

RWELL, N.
Solicits agency..... 6

TCHER, ROBERT..... 380

TLER, SAMUEL.
To the Governor; relating to a vessel believed to be fitting out by Sinclair for a privateer..... 215

TLER, THOS..... 120, 153, 385, 483, 495

TLER, THOS., Pilot.
Affidavit relating to a capture..... 387
Escaped from jail of Essex county..... 466
Declaration made on board the Thetis, (British ship) 23d of April, 1795..... 496-7
Deposition taken before Daniel Bedinger, Alderman..... 498

C

BELL, COL..... 364

BELL, Mr..... 400

BELL, W.
Recommends N. Stewart and A. Crawford as agents..... 22

BLE, WM..... 153

LDWELL, JAMES.
Took the oath of fidelity in Washington county..... 397

LDWELL, JOHN Jr..... 328

LL, JACOB..... 122

LLAHAN, EDWARD..... 111

LLAND, SAMUEL..... 196

LLENDAR, CAPT. JOHN..... 61

LLOWAY, WM..... 147

LMET, CAPT..... 436

CALVERT, CAPT. S. S. 109

CALVERT, CAPT. 342

CALVERT, Mr. 168

CALVERT, SAVAGE 436

CAMNER, a paper maker 454

CAMPBELL, A. 112

CAMPBELL, ALEXANDER, U. S. Attorney 428
To the Governor; referring to instructions of the President of United States 10
To the Governor; relating to charges of violence upon Brigantine Ann 193
To the Governor; relating to certain vessels alleged to have been captured within the marine limits of the United States 205
To the Governor; relating to suspected privateer fitting out at Smithfield by Mr. Sinclair 213-14
To the Governor; opinion as to detention of French vessel brought into port of Norfolk with a prize 259-60
To the Lieut.-Governor; relating to the detention at Norfolk of an American citizen by a British ship of war 426
To James Wood, Lieut.-Governor; relative to the requisition of Governor Mifflin for the delivery of a fugitive from justice 426

CAMPBELL, ARTHUR.
To the Governor; replies to accusations of Capt. A. Lewis vs. Lieut. Willoughby 14
To the Governor, relating to the mischief done by the Indians on the 6th inst 117-18
To the Governor; relating to the murder and robbery on the 6th instant at Mr. Livingston's 123-4
To the Governor; relating to an accusation made by A. Lewis of his receiving money for excusing militia drafts 133-5
To the Governor; relating to a reported expedition of an uncle of Capt. Bench into the State 210
To the Governor; relating to defects of the late militia law 271-3
To the Governor; prays for remission of fine 336
To the Governor; claims sheriffalty of Washington county for 1795 344

CAMPBELL, COL. 139-40, 450

CAMPBELL COUNTY.
Number of militia 164

CAMPBELL, DONALD 168, 170, 225
Commission of French emigrant fund 12

CAMPBELL, ENSIGN 83

CAMPBELL, JOHN 466

CAMPBELL, Mr. 206, 467

CAMPBELL, ROBERT 403

CANALS.
State's subscription to 313

CAPERTON, CAPT. HUGH 371, 380, 390, 406, 408-9
To the Governor; relating to court-martial of December last for his trial 43
To the Governor; asking for rehearing before another court-martial 90-1
To the Governor; asks a rehearing before a second court-martial 280-6
To the Governor; petitions for a rehearing before a court-martial at his own expense 305-6
To the Governor; requesting return of memorial to him in case the council decline to act on it 394

To the Governor; desires copy of the proceedings of the court-martial on his case sent to him 394
To the Governor; relating to his efforts to procure a second court-martial on his case 395
To the Governor; relating to his claim for rations for his company 395
To the Governor; asks pay for rations and ammunition 397-8

CAPERTON, Mr 366

CAROLINE COUNTY.
Light infantry company in 149
Number of militia 163

CARPENTER 271

CARPENTER, CHRISTOPHER, Scout 469

CARNEY, Scout 469

CARR, Mr 20

CARRINGTON'S ESTIMATE.
Of expenses during the march of militia for suppression of whiskey insurrection, 292-3

CARRINGTON'S BRIGADE 343

CARRINGTON, COL 81, 316, 342

CARRINGTON, EDWARD.
To James Wood, Lieut.-Governor; relating to a draft for $486 53 advanced to Mr. Peyton 167
To the Governor; relating to insurgency in Pennsylvania 267
To Lieut.-Governor Wood; relating to the militia of the State destined against the Pennsylvania insurgents 287-8
To James Wood, Lieut.-Governor; relating to military stores on their way from Philadelphia to Winchester 316-17
To Lieut.-Governor James Wood; relating to his presence at Hagerstown 323-4
To the Governor; relating to the plan of getting the militia required to the general rendezvous of Winchester and Moorefield 430-1

CARRINGTON, JOSEPH.
Appointed collector 27

CARRINGTON, M.
To the Governor; relating to the Buckingham furnace 254

CARRINGTON, PAUL.
Security for James McCraw 88
To the Governor; accepts commission as judge of general court 404
Chosen judge of the general court 399-400

CARROLL, DANIEL 196
Federal Commissioner 22
And Gus. F. Scott, commissioners, to the Governor; respecting the payment of donation by Virginia to the public buildings 313
Gustavus Scott, and William Thornton, to the Governor; relating to third donation by Virginia for public buildings of the United States 364

CARSON, DAVID 403

CARTER, CAPT 371

CARTER, CHARLES, Clerk of County Court of Lee County.
Bond of 177

CARTER, EDWARD 187

To the Governor; recommends Thomas Chilton as agent 2
Recommends E. Brooke as agent 17

CARTER, GEORGE.
Recommended to fill vacancy in Court of Directors in Williamsburg Hospital.. 361

CARTER, JOHN 192, 340
To James Wood, Lieut.-Governor; relating to malicious reports concerning him... 353-4

CARTER, LEM 295

CARTER, Mr 171

CARTER, PEGGY CHEW 208

CARTER, WM.
To the Governor and Council; asking payment for attendance on sick Indians 292

CARUTHERS, CAPT. JAMES 501

CARY, DUDLEY 123
To the Governor; relating to the violation of his promise by Alexander Woodrowe, Capt. of ship Brandon, in going to sea 148-9
To ———; relating to a vessel in Queen's Creek, suspected to be fitting for a privateer 376-7

CARY, RICHARD.
To the Governor; relating to arms and accoutrements for the county of Warwick, 110

CASEY 160

CASTOR, THOMAS 399

CAVENDER, JOHN 399

CAVENDISH 476

CAVENDISH, Mr 153, 407

CAVENDISH, W. H.
To the Governor; respecting rations for troops in Kanawha and Greenbrier 33-4

CERES, Ship, of Baltimore.
And another, richly laden, captured by British ships Resolution, Argonaut, and Cleopatra 459

CERTIFICATES.
Relating to Capt. Caperton's company 398-9

CHALETT, Widow 23

CHAMBERLAYNE, E. P 176

CHAMBERLAYNE, Mr 399

CHAPLINE, MOSES 178, 274
To the Governor; relating to the court-martial held at West Liberty for the trial of Lieut. Joseph Biggs 89-90
President of court-martial, to Wm. Lowther; sends opinion of court with depositions 300-1

CHAPMAN, Mr 20, 419

CHAPMAN, WILLIAM 227

CHAPIN, GURDEN, Cashier 6, 60, 419

CHARGAN, JOSEPH 484

CHARLOTTE COUNTY.
Number of militia 163

CHARLES CITY AND NEW KENT.
Number of militia 164

CHATELE, Mrs 24

CHEATHAM, Mr 386

CHERANT, French ship of war 76

CHERUI, MONS. P. A., Vice-Consul French Republic.
To the Governor; exhibited his credentials 5

CHESTER, PETER 395

CHESTERFIELD COUNTY.
Justices of 30, 500
Militia armed 145
Number of militia 163

CHETWOOD, Aid-de-Camp 357

CHEW, JOHN, C. F. D. C 144

CHEW, JOSEPH, D. S. Spotsylvania.
Prays suspension of an execution against him 453

CHICKAMAUGUE alias Isaac 69

CHICKAMAUGUS 75

CHILTON, THOS.
Recommended as agent 2
To the Governor; transmitting executions and venditioni exponas against Richard Grayham 116
To the Governor; relating to collection of debts due Commonwealth 296

CHINN, Mr 374, 389

CHRISTIAN, WM 366

CHRISTIE 160

CHURCHILL 271

CIST, Printer 424, 455–6

CLAIRFORD, Mr 23–4

CLARKE, Agent 126

CLARK, CAPT 147

CLARK, JOHN 127
To the Governor; relating to the collection of taxes 147

CLARK, JONATHAN.
To James Wood, Lieutenant-Governor; respecting the assembling of troops for the march to Pennsylvania 311–12

CLARK, Scout 469

CLARK, CLINTON 160

CLARK, WM
Solicits agency 11, 160, 196

CLARKSON & DAVIS 84

CLARKSON, MATHEW, Mayor 414

CLAY, Mr 399

CLAYTON, Mr 110

CLAYTON, SAMUEL 118

CLEMENTS, HENRY.
Prays for remission of fine 149

CLENDENIN 37, 217

CLENDENIN, CAPT. V. C.
To John Stewart and Thos. Edgar, Esqrs.; relating to powder and lead for Kanawha and Greenbrier counties 73

CLENDENIN, CAPT. WM 368, 378

CLENDENIN, WM.
To Moses Mann; relating to his disobedience of orders 188-9
To Lieutenant Moses Mann; respecting guard at Bellville 189
To the Governor; informs him that he had discharged his company 442

CLENDENIN, COL 43, 91, 281, 305, 366, 398

CLENDENIN, GEO 340, 368, 398
And William Morris to the Governor; consider the guards allowed for Greenbrier and Kanawha more than necessary 389
To the Governor; asking that the militia called out in aid of the rangers should have equal pay with them 405
To the Governor; asks that the subject of the pay and subsistence of Captain John Morris' company for the defence of Greenbrier and Kanawha be considered 406
To the Governor; requesting a speedy answer of the Executive as to the equal pay of the militia and rangers 407

CLEOPATRA, British ship 369

CLINCH 314

CLINKSCALES, WM 65

CLOPTON, WM 86

COBURN, ENSIGN 398, 443-4, 448

COBURN, JONATHAN 368, 379, 444

COBURN, Sons 469

COCHRANE, CAPT. 422, 429, 457, 473, 483, 487-8

COKE, BOWLER 256

COKE, CHARLES
To Samuel Coleman, relating to Capt. Hawkin's company 357

COKE, COL 330

COCKE, COL. CHAS.
To A. Lewis; relating to John Watts' (Indian) threat of revenge..... 32

COCK, JOHN..... 86

COCK, LEMUEL.
To James A. Bradley; relating to conduct of Capt. Nathan Jones' company..... 308

COCKE, LIEUT..... 314

COCKE, Mr..... 400

COCKRELL, Mr..... 109

COGBILL, JESSE..... 26

COLAIN, JAMES M..... 262

COLEMAN, CAPT..... 121

COLEMAN, DANIEL, of Caroline.
Recommended as agent..... 3

COLEMAN, SAMUEL.....110, 122, 191, 277
To the Lieut.-Governor; sends returns from Superintendent of Point of Fork..... 2
To the Governor; relating to claim of Mr. Graham as scout in Greenbrier county, 12
To James Wood; informing the board of the number of copies of act of Congress for national defence, and of General Assembly of Virginia for regulating militia, 67
To General Wood; relating to 19 additional regiments recently constructed..... 78-9
To the Lieut.-Governor; relating to quarterly return from Point of Fork up to 31st March, 1794..... 88-9
To the Superintendent of Point of Fork; requesting him to forward to the city of Richmond 500 stand of repaired arms..... 106
To the Lieut.-Governor; relating to number of regiments of Virginia militia..... 161-7
To the Lieut.-Governor; relating to expence of prevention of introduction of contagious disease into Loudoun county..... 194
To the Governor; relating to the roof of the Capitol..... 212
To the Governor; relative to the duties of the keeper of the Capitol..... 229
To the Governor; solicits increased compensation for keeper of Capitol..... 233
To ——; enclosing blank returns for the use of officers of regiments to be made to the Adjutant-General..... 237-8
To the Lieut.-Governor; relating to certain papers not found in a bundle containing a remainder of claims for the defence of Western Frontier..... 291
To the Governor; reporting again repairs needed to the Capitol..... 305
To the Lieut.-Governor; relating to vouchers to be furnished by Capt. Caperton... 371
To Mr. Dawson; relating to pay rolls for services on Western Frontier 378-81
To the Lieut.-Governor; report of claims for western services for 1793..... 381-3
To the Governor; report concerning Capt. Caperton's accounts for ammunition for his company..... 390
To the Governor; relating to claim of pay of scouts..... 393
To ——; relating to muster rolls of John Vanbibber..... 429
To ——; relating to claims of scouts, sergeant, and rangers..... 430
To ——; relating to pay rolls of James McGavock..... 430
To the Governor; relating to Captain Lowther's pay-abstract, muster rolls, and ration account..... 448
To the Governor; prays that in view of the age and infirmity of his father, the office of keeper of the Capitol may not be taken from him..... 500

COLEMAN, Mr..... 460

COLEMAN, STEPHEN..... 196

COLEMAN, THOS.
Declined to act..... 122

COLEMAN, WYATT 122
List of arms, &c. stored in the Capitol 119
To the Governor; relating to the roof of the Capitol 211
To the Governor; asking instructions as to duty as keeper of Capitol 216
To the Governor; reports condition of the Capitol 233
To the Governor; prays to retain the office of keeper of the Capitol 500

COLES, ISAAC.
Security for James McCraw 88

COLES, WALTER.
Security for James McCraw 88

COLVILLE, ANDREW 402

COLVILLE, ENSIGN 96, 264, 380

COMMISSIONERS OF PUBLIC BUILDINGS.
To the Governor; application for third donation by State of Virginia 280

COMPTON, ALEXANDER 65

CORNICE 443

CONNER, MAJOR 183

CONYGHAM, Ship 113

COOK 160

COOKE 271

COOKE, JOHN 198

COOK, JOHN V 109

COOKE, STEPHEN.
Solicits agency 25

COOKE, WM 390

COOPER, CAPT 189

COOPER, JOHN 108, 489

COOPER, JOHN C 107

COOPER, Mr 198

COPES, BRONLEY 126

COPLIN, BENJAMIN, and Jos. Davison, Commissioners.
To the Governor; inform him that no land tax books for the county of Harrison can be found 461

CORBIN, JAMES T.
Dead 129

CORBIN, FRANCIS.
To the Governor; solicits appointment of Colonel of militia 153
To James Wood; solicits a Colonelcy in the militia 175

CORBIN, RICHARD H 120, 156

CORNELL, JOHN.
To the Governor; relating to affairs on the frontier 302-3

COSBY 271

COTTRAL, THOS. 249

COTTERAL, ENSIGN 263

COUNCIL OF STATE.
Carter Braxton qualified 151
Larkin Smith qualifies 173

COURTS.
Places for holding court of appeals 62
Verdict against commonwealth in district 100-2
Spencer Roane elected to court of appeals 386
Paul Carrington elected judge of general court 399-400

COURT-MARTIAL.
Ordered in case of Lieut.-Col. Wells 276-7

COURTNEY, Mr 464

COURTNEY, WM 120
Acting 129

COURTNEY, WM., J. P 129

COURTY, Mr 15, 184, 213

COWEN, ANDREW.
To the Governor; expressing satisfaction with the protection afforded to the frontiers 451-2

COWPER, JOHN 472, 483
And Daniel Bedinger to Willis Wilson, Lieut.-Col.; report of the response of Capt. Cochrane to instructions as to the use of Virginia waters by belligerant vessels, 472-3

COWPER, Mr 457, 490

COWPER'S VESSELS 39

CRAFFORD, CAPT 140

CRAIG, CAPT., Supercargo 153

CRAIG, DR. JAMES 23

CRAIG, JAMES 153
Narrative of events at the capture of schooner Delight and ship Charles 154-5

CRAIG, Mr 97, 100

CRAIG, ROBERT 402
Merchant in Manchester 26

CRAWFORD 226

CRANE, Mr 142-3

CRANY ISLAND.
Defences of 184

CRAW, MARTIN 299

CRAWFORD, A.
Recommended as agent 22

CRAWFORD, NELSON.
Recommended as agent 25

CRISPIN, Mulatto boy 413-14

CROCKETT, CAPT. 27, 83, 208, 263, 380

CROCKETT, R.
To the Governor; relating to the supposed murder of Mrs. Livingston and children 114
To Capt. A. Lewis; sends his resignation 209

CROCKETT, ROBT.
Certificate that Jos. Kent, contractor, furnished Crockett's company with rations 270

CROPPER, JOHN.
Commissioned 27
To the Governor; accepting agency for Accomack Brigade district 106
To the Governor; relating to the embargo 125-6
To the Governor; accepting appointment as agent 148
To ——; stating receipt of commission as agent of Ninth Brigade district 257-8

CROPPER, JOHN Jr.
To the Governor; reasons for not meeting him in Norfolk 321

CRUMP, RICHARD 192

CRUTCHFIELD 85

CUFF, DAVID 466

CULPEPER COUNTY.
Number of militia 161

CUNNINGHAM, CAPT. 71

CUNNINGHAM, CAPT. JOHN 39

CUNNINGHAM, Mr. 272

CUNNINGHAM, SAMUEL BARRON 101

CURITON, JAMES.
Commission as Capt. of artillery 187

CURRELL, Negro man slave.
Property of Benjamin Marable, condemned to be hung by a court of Oyer and Terminer in the county of Mathews 467-8

CURRIE, ARCHIBALD 350

CUT SILVER.
Declined 96

D

DABNEY, BENJ., Deputy Attorney for Commonwealth 120

DABNEY, JAMES, Sheriff of Louisa.
Prays remission of fine 386

DALLAS, A. J., Secretary of Commonwealth of Pennsylvania.
To the Governor; transmitting copy of laws of Pennsylvania 31

DALTON, CAPT. 254

DAMERON, ONEY S. 295

DANA. 160

DANDRIDGE, B. 53

DANDRIDGE, WM 326, 396

DANIEL 169

DANIEL, ALEXANDER M. C. 436

DANIEL, TAPLEY 405

DANIEL, THOMAS 405

DARBY, JAMES, Sergeant 364

DAR 160

DARE 271

DARE, Mr. 480

DARK, GENERAL 342

DARKE, COL.
Desires an order from the Treasurer for the last call due by this State to the Potomac company 125

DAVENPORT, ABRAM.
To the Governor; relating to inquisition as escheator on Fairfax land in Berkeley county 296-7

DAVID AND GEORGE, Brig 150

DAVIS, AUGUSTINE.
To the Governor; relating to extra copies of revised Code 67
To Archibald Blair; transmitting account for printing revised Code 74
To the Lieut.-Governor; relating to revised Code 366-7

DAVIS, CATHERINE 65

DAVIS 169

DAVIES, COL. WM 55

DAVIES, COL 68

DAVIES, WM 210
To the Governor; solicits agency 9
To the Governor; relative to the settlement of accounts between Virginia and the United States 43-57
To the Governor: relating to sundry executions vs. delinquent sheriffs 87
To the Governor; asking instructions as to two of the venditiones vs. Rogers, late sheriff of Southampton 102-3
To the Governor; acknowledging receipt of commission as agent of district of which Dinwiddie forms part 78
To the Governor; relating to certain writs of venditioni exponas 121-2
To the Governor; relating to his memorial 319-20
To James Wood, Lieut.-Governor; thanks him for attention to memorial 348
To Lieut.-Governor Wood; thanking him for the recognition of his claim 377
To Edmund Harrison; relating to account for contingencies of office 480-1

DAVIES, Mr. ... 503

DAVIES, SAMUEL ... 317-18

DAVISON, JOS., Commissioner ... 461

DAVISON, Scout ... 469

DAVYS.
Second trial believed to be illegal ... 327-8

DAWSON, J.
To James Wood; relating to commission of Wm. Belton ... 266
To the Governor; enclosing papers with foreign news ... 447
To the Governor; relative to certain papers confided to his care for delivery ... 447-8
To the Governor; relating to Jay's Treaty between this country and Great Britain, 450

DAWSON, JOHN ... 391

DAWSON, Mr. ... 380, 454

DAWSON, PLEASANT ... 187

DAY, BENJAMIN.
Recommended as agent ... 6

DEANE ... 160

DeROCY, Mrs. ... 247

DeFRANCAIS, Mr. ... 85

DeFRANCEY ... 86

DELANNARY, SILAS ... 452

DENEAL ... 169

DENEALE, G.
To the Governor; relating to arms received by his company and left at Winchester ... 433-2

DENNINGTON, CAPT. ... 345

DEVOLL, ELIJAH ... 376

DEWSBURY ... 380

DICK, ELISHA C., Superintendent of Quarantine
Asks compensation as Superintendent and Physician ... 1

DICKERSON, JAMES ... 452

DICK, Negro ... 18

DILIGENT, Sloop ... 72

DILLARD, JAMES ... 344

DILLARD, JOHN ... 350

DILLON ... 6

DINWIDDIE COUNTY
John Jones, sheriff of ... 32
Joseph Jones, sheriff of ... 36
Number of militia ... 36-4

DISMAL SWAMP COMPANY.
Assessment of £9 currency on 50 shares 313

DIX, WM 196

DIXON, JAMES 271

DIXON, JOHN 271

DIXON & NICHOLSON 84

DOEDALUS, English ship of war 29, 38, 75–6, 106
Shot fired by 39

DOHARTY, CAPT 206

DOLPHIN, Brig 254

DONALD, ANDREW 26

DONALD, JAMES 26

DONALD, WM 26

DONALD, SCOTT & CO 84–5

DONNALLY, COL 305

DONNALLY, ANDREW 282

DONNALLY, ANDREW, Jr 286

DONNELL 169

DONNIGHE, HENRY 451

DOHERTY, WM 140

DORTON, CAPT 117

DOUGLASS, WM 431, 456

DREANO, JOSEPH 474
To citizen Willis Wilson; expressing gratification at the letter delivered by Messrs. Cowper and Bedinger 474–5

DROPE, W., Deputy Clerk W. C 210

DRUMMOND, WM 480

DRURY, JOHN 327

DUBOIS, Mr 14

DUCROCY, Widow 23

DUDLEY, WM., Sheriff 129

DUGAN, ALEXANDER 192

DUMFRIES.
Roll of volunteer company at 168-9

DUNBAR, JOHN.
To the Governor; relating to repairs of Aquia Warehouse 96

DUNMORE.
List of pirates..... 106

DUNN & PHILIPS..... 306

DUNNINGTON, EZEKIAH..... 65

DUNSCOMB, Mr..... 55

DUPIN, Widow..... 23

DUQUESNAY, Mr..... 24

DUQUESNEST, Mr..... 23

DUTCH GOLD.
Declined..... 96

DUVALL, BENJAMIN.
To the Governor; asking for 50 stand of arms, &c. for his company..... 119

DUVAL, SAMUEL.
Solicits agency..... 17

DYKES, JAMES.
To the Governor; solicits agency..... 2

E

EDGAR, THOS..... 73, 390

EDWARDS, COL..... 123

EDWARDS, GRIFFIN..... 123

ELDERIDGE, ROLFE..... 344

ELIZABETH CITY COUNTY.
Number of militia..... 165
Recommendations for sheriff..... 293

ELLETT, THOS..... 327

ELLETT, WM..... 176

ELLIOTT..... 160

ELLIOTT, HENRY..... 36

ELLIOT, Mr..... 131-2

ELLIOTT, TEMPLE..... 464

ELZEY, WM, Jr
Resigns office of surveyor of Loudoun county..... 450

EMANUEL, a Negro man slave.
Condemned to be hanged for murder..... 256

EMBARGO.
Proclamation relating to..... 83-4
On ships and vessels in ports of the United States for thirty days..... 83-4
Exception at Norfolk..... 95
Exception at Bermuda Hundred..... 95

Violation of 105, 108
Violation of on Eastern Shore 125-6
General Knox's opinion respecting 134
Violation of at Yorktown 148-9

ENOS 271

ERMETT, JOHN 429

ESSEX, a slave.
Property of Thomas Spencer of King and Queen county, convicted of felony by county court of King & Queen; condemned to be hanged 119-20

ESTEN, JAMES 85

ESCHEATOR OF FAUQUIER COUNTY.
Relating to title of Commonwealth to Manor of Leeds in that county 130

ESCHEATOR IN SHENANDOAH COUNTY 130

EVANS, Delegate 126

EVANS, JOHN, Sr.
To the Governor; recommends Wm. Martin as paymaster for scouts and rangers 187

EVANS, JOHN.
To the Governor; resigns commission as Lieutenant in volunteer militia 362

EVANS, LIEUT 73, 180, 372, 380, 443, 448

EVERARD, THOS 86

EWELL, CHAS 64-5

EWELL, JESSE 436

EWELL, JAMES 116

EWELL vs. COMMONWEALTH, A Bill.
Tenants on Bristow tract pray an injunction to stay the sale of 65-6

EXCISE LAW.
Opposition to in Washington county 249
Opposition to in Pennsylvania 251-3
State of feeling in Harrison county relating to 289-90

EXECUTIVE JOURNAL.
Extract from 121

EXECUTIVE.
Requested to furnish all information they possess relative to the mission of Attorney-General to State of Kentucky 375
Order that arms be issued for the company of Capt Roger Gregory 502

EYRE, Mr 399

F

FAIRFAX, DENNY 255, 394

FAIRFAX COUNTY.
Number of militia 165
Sheriffs of 269-70

FAIRFAX ESTATE.
Proceedings to escheat....255, 206

FAIRFAX, LORD....255

FAIRFAX, Mr....255, 446

FARLEY, MATHEW.
Scout in Greenbrier....12

FARREL & JONES....482

FAUCHET, JOSEPH, Minister Plenipotentiary.
To the Governor; relating to the reclamation of a citizen of Virginia....341

FAUCHET, Mr....351-2, 488

FALCON, Mr....400

FAULCON, CAPT....314

FAULCON, EDWARD, Agent.
Account of expenses of second detachment of eighth brigade on expedition to Winchester....332-3

FAULKNER, ELIZA....39

FAUNTLEROY, SAMUEL G....129

FAUNTLEROY, THOS.
Not qualified....129

FAUQUIER COUNTY.
Number of militia....164-6
Sheriff of....410-12

FENDALL, Mr....60

FENDALL, PHIL. R.
To the Governor; relating to cut silver and price of German gold received at bank of Alexandria....88

FENDALL, PHIL. W., President of Bank of Alexandria.
Relating to the deposit of certain monies of the state....34-5

FEDERAL BUILDINGS.
Virginia donation to....22, 27, 196
Request for payment of Virginia donation to....313, 3

FENWICK, Mr....72, 3

FENWICK, W.
To the Governor; complains of treatment by committee of Petersburg appointed to guard the town against small-pox....10
Certificate of....35
To Augustine Davis; requests payment of money for purchase of paper for the State....36

FERRIS, ELISHA....10

FERRIS, Mrs....10

FERRIS, NANCY....109

FIGG....271

FINLEY, JAMES 210

FISHER, Mr 316

FISHER, THOS., and Elias Langham.
Receipt for arms at Winchester 340

FITZGERALD, COL 95

FITZGERALD, JOHN.
To the Governor; relating to the defence of Alexandria 124–5

FITZSIMONS, Mr., M. C 105

FITZWATER, GEORGE.
Affidavit that he was appointed a corporal in his company for defence of Greenbrier and Kanawha 368

FLAGUS, WM 65

FLANNARY, JOHN 451

FLANNARY, JAMES 451

FLEEHARTY, JOSHUA 379

FLEET, WM 120, 129

FLEET, WM., J. P 129

FLEMING 271

FLEMING, WM. R.
To the Governor; recommends Dr. James Carter for a surgeon's position in the army 311

FLUVANNA COUNTY.
Number of militia 162
Militia officers of 159

FONTAINE 271

FORD, JOHN.
Convicted in Court of Prince Edward for murder of James Rowton 91

FORT NELSON 213
Return of laborers employed at 200–1
Officers needed to take charge of 321

FORT NORFOLK 213

FORTIFICATION.
Of Norfolk Harbor; expenses of 157

FOSTER 160

FOSTER, CHARLES, Capt 49

FOSTER, JOHN 157

FOSTER, MARGARET 65

FOX, JOHN 271

FOX, HENRY 271

FOX, WM. 271

FRANKLIN, A Schooner.
About to go to sea in violation of the embargo, taken possession of by Jno. Cropper, 125

FRANKLIN COUNTY.
Number of militia. 164

FRAZER, JAMES. 36

FREDERICK COUNTY.
Number of militia. 163-4
Troop of horse formed. 171

FREDERICKSBURG.
Artillery company in. 60-1
Light Infantry company. 121
Quarantine at. 349

FREELAND, Mr. 482

FRELINGHUYSEN. 354

FREE NEGROES.
Thos. Stewart charged with stealing. 231-2
Proclamation of Governor Lee relating to stealing of. 206-8
Unlawfully transported from Maryland. 376

FRENCH.
Refugees. 5
Emigrants in Norfolk. 12-13
Emigrants in Richmond. 14
Emigrants in Alexandria. 23
Fleet in Hampton Roads. 76-7
Spoliation by privateers. 113
Ship of war captures British vessel. 154-5
Emigrants aided in Norfolk. 201
Emigrants aided by General Assembly. 224-5
Privateers at Norfolk. 257
Emigrants at Hampton. 273
Workhouse for emigrants at Norfolk. 304
Privateer enlist men at Norfolk. 384-5

FRENCH EMIGRANTS.
Money for. 12
From St. Domingo. 14-15
From St. Domingo; aid asked for their support. 28-9

FRENCH, GEO.
To Lieut.-Governor Wood; relating to a malignant fever prevailing in Baltimore. 344
To the Lieut.-Governor; recommends James Allen, Jr. for Superintendent of Quarantine for Fredericksburg. 348-9

FRIGATE.
For the United States, suggested to be built by the people of Virginia as a donation, 38

FRILEY, CALEB. 451

FERGUSON, FINLAY. 295

FRY. 160

FRY, REUBEN. 227

FULKERSON, ABRAHAM. 109

FULKERSON, JAMES. 109

G

GAINES, CAPT.
Recommended as agent 2

GAINES, HENRY.
Dead 129

GAINES, RICHARD.
To the Governor; complains of recommendation of John Hackley as major 193

GAINES, WM. F.
Recommended as agent 18

GAINES, WM. FLEMING.
Solicits agency 7

GALT, Mr 214–15

GALT, WM 354

GAMBLE, COL 217

GAN, LEWIS 467

GARDNER, ANTHONY.
Acting 129

GARDNER, ANTHONY, J. P 129

GARLICK, JOHN.
Not qualified 129

GARNER, GEO.
Coroner 377–8

GARRAT, WIDOW 24

GARRETT, JAMES 398

GATEWOOD 160

GATEWOOD, CHANY.
Not qualified 129

GATLEFF, CAPT 395

GAYSON, PETER 324

GEORGE, Negro man slave.
Property of Wm. Trespess, condemned to be hanged in Mathews county court 462

GEORGE, JOHN 484

GEORGE, REUBEN.
To the Governor; relating to muskets, bayonets, and cartridge boxes burnt in the house of Mr. James Heron 309

GIBSON, Scout 469

GILBERT 169

GILES, CAPT 121

GILES, WM.
To the Governor; applies for arms for his company ... 113
Gives receipt for arms and accoutrements for his company ... 122
Returns arms ... 340

GIRARD, STEPHEN ... 413

GLASSELL, WM.
To the Governor; prays for remission of fine ... 142-4
Scire facias against ... 144

GLENN, CAPT., of Berkeley ... 323

GLENN, MATTHEW ... 327

GLOUCESTER COUNTY.
Number of militia ... 162
Artillery company formed ... 270-1

GOLDSMITH, WM., alias Wm. Smith ... 376

GOOCHLAND COUNTY.
Number of militia ... 164

GOODE, COL ... 353

GOODE, ROBERT ... 502
Director of Public Buildings, to Gen. Wood, Lieut-Governor; asking an advance of $200 ... 173

GOODE, THOMAS ... 41

GOODWIN, COL ... 73

GOODWINE, JOSEPH ... 388

GOODWYN, P.
To the Governor; solicits agency as collector of arrears of taxes ... 1
To the Governor; relating to collections of taxes in the 15th Brigade ... 387

GOODWYN, ROBERT ... 447

GOOSELEY, W.
To Samuel Shield; promises pay of execution in hands of Shield ... 360-1

GORDON, THOMAS ... 192

GOSPORT.
Frigate to be built at ... 276

GOVAN, JAMES.
Ro. Pollard, Thos. Nelson and J. Nelson recommend Wm. F. Gaines as agent ... 18

GOVERNOR.
Election of Robert Brooke ... 374
Robert Brooke qualifies as ... 385

GRAHAM.
To the Governor; recommends Samuel Todd as agent ... 9

GRAHAM, GEORGE.
To the Governor; enclosing list of men composing independent volunteer company ... 168-9

GRAHAM, LIEUT ... 169

GRAHAM, R. 226

GRAYHAM, RICHARD 116

GRAHAM, WM.
Scout in Greenbrier 12

GRATTAN, CAPT. ROBERT 449

GRAVES, ADMIRAL 251

GRAVES, MAJOR WM 499

GRAVES, MAJOR 40

GRAVES, Mr. 222, 305

GRAVES, WM. 157, 200-1

GRAVES, WM., Laborer 157

GRAY, VINCENT.
Surveyor of port of Alexandria 1

GRAY, WM. 110

GRAYSON COUNTY.
Number of militia 166

GRAYSON, LIEUT. 342

GREGORY, RICHARD 467

GREGORY, ROGER, Captain 502

GREGORY, WM., J. P. 176

GRENADIERS 97

GREEN, B.
To the Governor; requests to have his company stationed at Fort Norfolk rather than Fort Nelson 502

GREENBRIER COUNTY.
Number of militia 166

GREEN, G. 328

GREENHOF, Mr. 226

GREENSVILLE COUNTY.
Number of militia 164

GRIFFIN 271

GRIFFIN, THOS., Mayor of York 133

GRIFFITH, JOSEPH 466

GRIMPREL, M. 24

GRIMPREL, Mrs. 24

GRIMPOOLE, M. 24

GRIMSVERAL, M. 23

GUARRANT, JOHN 187

GUATKIN, CHARLES 391

GUERNON, RICHARD 107

GUERRANT, JOHN.
Recommends Thos. W. Royster as agent 11
To the Governor; relating to fines imposed on militia men in the 90th regiment... 470

GUION, LEWIS 153

GUIONETT 169

GUNYON 169

GUYN 271

H

HACKETT, MICHAEL 466

HADDAN, JOHN 469

HADDAN, REBECCA 262

HAGERSTOWN.
Disturbances at 297, 323-4

HAGUE, CAPT 466

HAGUE, JOHN.
Robert Allyn, and John Lester to James Wood, Lieut.-Governor; report the value of service rendered by sundry vessels in transporting troops from Richmond to Smithfield 238-9
Superintendent of quarantine; thinks quarantine unnecessary 348
Superintendent ports Richmond and Manchester, to ——— ; relating to the small-pox 367

HALIFAX COUNTY.
Number of militia 165-6
Delinquent lands in 61-2
Escheator appointed 88

HAMPSHIRE COUNTY.
Number of militia 166

HAMPTON.
People attack British sailors 486

HALE 160

HALL, LIEUT 380

HALL, PHILIP 379

HALL, Scout 469

HAMILTON, ALEXANDER.
To the Governor; relating to inspecting troops called out for suppression of insurrection in Pennsylvania 292

HAMILTON, ARCHIBALD 262

HAMILTON, CAPT. 330

HAMILTON, COL. 74

HAMILTON, FERDINAND. 262

HAMILTON, JOHN. 155, 437
To the Governor: relating to insult to British Flag at Yorktown. 133
To the Governor; relating to imputation of cruelty by Sir John Jervis at Martinique. 150
To the Governor; gives names of witnesses of capture of schooner Delight and ship Charles. 153
To the Governor; relating to narrative of capture of schooner Delight and ship Charles. 154
To the Governor; relating to the capture of vessels Charles and Delight. 195
To the Governor; relating to the sailing of the Chickamauga in violation of the Captain's promise. 185
To the Governor; relating to vessels Charles and Delight. 206
To Wm. Lindsay; informing him that ships Thetis and Cleopatra were expected in the harbor of Norfolk for necessary repairs. 415
To Thos. Mathews; asking permission for British ship Lynx to deliver supplies to the Thetis. 420
To Thos. Mathews; stating his inability to describe the repairs needed by the ships Thetis and Cleopatra. 420
To Thos. Newton, Jr.; denies the accusation of the French Consul of insulting conduct towards the French in the harbor of Norfolk. 422
To the Governor; informing him that the subject of the arrest of deserting seamen had been referred to the British Minister. 445
To Thos. Newton, Jr.; relating to the stoppage of a boat engaged in his Britannic Majesty's service. 476
To the Governor; relating to certain disturbances between some citizens of Hampton and some British seamen. 485–6
British Consul, to General Thos. Matthews; informing him that the ship Chickamaugus is in Hampton Roads taking guns on board contrary to regulation. 75
British Consul, to the Governor; enclosing letter of Vice-Admiral Jervis. 294

HAMILTON, Mr. 106, 213, 489
British Consul. 71, 113

HAMMOND, GEORGE. 497
British Minister, to Secretary of State; complaints answered in letter of Edmund Randolph, Secretary of State of May 8th, 1795. 488–9
British Minister, to Secretary of State; inquiring as to the authority of W. Wilson for forbidding a vessel to proceed to the British ship Thetis. 489

HAMMOND, Mr., British Minister. 474, 484, 487
To the Secretary of State; relating to affidavit and declaration of Thos. Butler. 495–6

HAMMOND, Mr. 495, 497
Letter from Mr. Jefferson. 30

HANCOCK. 169

HANCOCK, Mr. 386

HANGING MAN, Indian. 208

HANNAH, CAPT. 81, 138, 183, 254, 275

HANOVER COUNTY.
Escheated property in. 84–6
Number of militia. 165–6
Sheriff of. 383–4

HANSFORD, CARY H. 168

HANWAY, COL. SAMUEL. 464

HARDING, WM. H. 450

HARDY COUNTY.
Number of militia 162

HARPER, RATCLIFF 109

HARRIS, WILL 447

HARRISON AND RANDOLPH.
Number of militia 162

HARRISON COUNTY.
Militia of 179
Indians commit murders in 303

HARRISON, EDMUND 480
To the Governor; informing him of a deposit he was prepared to make into the treasury for Col. Davies 63
To the Governor; asking to be excused from Board meetings 38
To the Governor; enclosing bond of Col. Goodwin as agent 73
And Larkin Smith report on the condition of State treasury 334-5

HARRISON, WM. 198

HARRY, Negro man slave.
Sentenced to be hung 208

HARSTONE, ROBERT 147

HARTSHONE.
To the Governor; sends balance of books of bank of Alexandria 419

HARTSHORNE, WM., Treasurer 313

HARVEY, CAPT.
Of Sloop Ann of Bermuda 23

HARVEY, MUNGO.
Solicits agency 16

HARVEY 487

HARVIE, JOHN 258

HARVIE, Mr. 399

HARVY 491

HARWOOD, CHRISTOPHER.
Dead 129

HARWOOD, WM.
Dead 129

HATCHER, Mr. 386

HATCHER, BENJAMIN 36

HATTEN, ROBERT, Master of Ship Harriott.
Deposition as to the impressmen of John Underwood, John Lloyd, and Lewis Moore, American citizens 478

HAWKINS, CAPT. 83, 96, 100, 113-14, 209, 380, 460

HAWKINS, CAPT. JAMES 430

HAWKINS, JAMES.
To James Wood, Lieut.-Governor; resigns his commission as Captain of militia... 357

HAY, CHARLES.
To Lieut.-Governor James Wood; relating to printing of revised Code..... 291
To Lieut.-Governor James Wood; asking instructions as to printing the Code..... 310
To the Governor; recommends payment of Mr. Kind's account for transcribing Index of revised Code..... 463

HAY, CHARLES, C. H. D.....368, 370, 372, 375, 386, 394

HAY, WILLIAM.
To the Governor; recommends Charles Yancey as agent..... 3
Resigns as Director of Public Buildings..... 11
Recommends Benjamin Oliver, Jr., of Hanover Town, and William Hines, of Southampton, as agents..... 16

HAYES..... 169

HAYES, JAMES.
To the Governor; relating to controversy with authorities of Manchester on account of small-pox..... 40-2

HAYES, Mr..... 58

HAYMOND, JOHN.
To the Governor; recommends Wm. Martin as paymaster for scouts and rangers for Monongalia district..... 185

HAYMOND, CAPT. JOHN..... 289
To the Governor; relating to the Pennsylvania insurrection..... 294

HAYMOND, Scout..... 469

HAYNES, JAMES..... 469

HAYWARD, S. C. S..... 4

HEAKLE, JOHN..... 417

HEDGE, ENSIGN..... 372

HENDERSON.....160, 271

HENDERSON, SAMUEL..... 282

HENRICO COUNTY.
Number of militia..... 163
Justices of..... 258

HENRY COUNTY.
Number of militia..... 165

HENRY, PATRICK.
Appointed Senator for this Commonwealth in the Senate of the United States in place of James Monroe, resigned..... 211

HENRY, P.
To the Governor; recommends Francis James as agent..... 23

HERBERT, Scout..... 469

HERNDON, JOHN..... 453

HERNDON, EDWARD, D. S. of Spotsylvania.
Certifies that he held an execution against William Mills for balance of taxes for 1789..... 453

HERON 160

HETH, COL 47

HICKS, JOHN 200
To the Governor; tenders Richmond troop of horse 198

HILL, BAYLOR 168, 170
Commissioner for French emigrant fund 12
To the Governor; relating to relief of French emigrants in Norfolk 224-5

HILL, EDWARD.
Declines 129

HILL, GREEN 415

HILL, JOHN 42-3, 500

HILL, HENRY.
Robert Alcocke, and Wm. Chapman recommended by the court of Madison for office of sheriff 227
Commissioned sheriff of Madison county 227

HILL, THOS.
Not qualified 129

HILLIARD, DR 448

HINES, WILL, of Southampton County.
Solicits agency 3

HINES, WM.
Recommended as agent 16

HIPKINS, WILL 417

HOBBS, LIEUT. VINCENT 112

HOBBS, LIEUT 118, 124

HODGES, JESSE 157

HODSON, Mrs. M.
To her son; expressing fears that cannon will be used in Manchester in the small-pox controversy 58

HOLCOMB, J.
To the Governor; petition for pardon of Thos. Murry 133

HOLLIMAN 122

HOLLIMAN, Mr 87

HOLLIMAN, MICAJAH, late sheriff, now dead 102

HOLT, CAPT 288

HOLT, ROLAND 359

HOOE, HENRY DADE.
Recommended as agent 17

HOOMES, COL 60

HOOMES, Mr 62, 386

HOPE, GEO 293

HOPKINS, JOHN 354
To the Governor; requesting payment of last instalment due by Virginia for public buildings in Federal city 27-8
To the Governor; enclosing letter of Mr. Carroll, enquiring when Virginia would pay the third donation for public buildings 280
To James Wood, Lieut.-Governor; requests further payment on Virginia donation to public buildings 378

HOPKINS, MAJOR-GENERAL 203

HOPKINS, Mr 22, 338

HOPKINS, SAMUEL, Jr.
Recommends Thos. Vaughan as agent 10
To James Wood, Lieut.-Governor 288

HOPKIN, WARREN 497

HORNSBY, JOSEPH 361

HORTON, JOHN PEYTON 65

HOSKINS, JOHN.
Acting 129

HOSKINS, JOHN, J. P 129

HOSKINS, ROBERT 129

HOUTCHINGS, JOHN 176

HOWARD, JOHN 85

HOSPITAL AT WILLIAMSBURG.
Order for £400 461

HOULDER, HUDGINS 467

HOUSE OF DELEGATES.
Resolution relating to collection of arrearages of taxes 368

HOWE, LIEUT 250

HOWELL, JOSEPH 407

HOWELL, Mr 453, 477

HOWELL, PEGGY 207

HERBERT, MAX 157

HUBERT, Mr 23-4

HUBERT, Mrs 24

HUE AND CRY.
For arrest of Thos. Tuck 405

HAGGARD, GEO 73

HUNTER, HUGH, Cornet 124

HUGHES, EDWARD 399

HUGHES, OLIVER 451

HUGHES, Mr 98

[illegible] 94

[illegible] 488

[illegible] 153

[illegible] 157

[illegible] 261

[illegible]
Proceedings relating to reconsideration of the action of the court of Pittsylvania on the recommendation of officers of militia 195–6

[illegible] 196

[illegible] 4

[illegible] 323

[illegible] 275

[illegible], Connecticut.
Protest of Governor of Virginia, acknowledging certain resolves of the General Assembly of Virginia 11

[illegible] 357

[illegible]
[illegible] 129

[illegible] 398

I

INDIANS
Letter of W. Wilson to Admiral Murray, relating to 472–4
[illegible] 478
[illegible] 483–4
[illegible] 495–8

INDIANS
[illegible] 7
[illegible] 18
[illegible] 19
[illegible] 22
[illegible] 74
[illegible] 79–80
[illegible] 81–3
[illegible] 96
[illegible] 97
[illegible] 106–9
[illegible] 111–15
[illegible] 117
[illegible] 117–19
[illegible] 124
[illegible] 127
[illegible] 131
[illegible] 135
[illegible] 137
[illegible] 138
[illegible] 139
[illegible] 140
[illegible] 141

Cherokees begin hostilities 210
Attack McCollock's company 217
Capture a woman on Buchannon river 260
Outrages in Washington county 262
Lieut.-McClelland had severe action with 272
Creek's defeated 272-3
Defeated by General Scott near Miami 273
Make an attack on West Fork of Monongalia 298-9
Ensign Jenkins' command fight with 299
Capt. McCullock attacks Camp of, on Licking Creek 299-300
Commit murders in Harrison county 303-4
Defeated by General Scott at Glass Town 304
Outrages in Ohio county 324
Troublesome in Ohio county 363

INGRAM, JOHN 86

INNES, JAMES, Attorney-General 102, 255
To the Governor; relating to the mortgages on Holt Richeson's estate 190
To Archibald Blair; informing him that the papers mentioned by him were never received 258
To the Governor; returns thanks for letter written by the Governor for him to Secretary of State 259
To the Governor; relating to the Buckingham works 262-3
To the Governor; relating to questions propounded by Mr. Hay concerning the Code 311
To the Governor; relating to his official character in his journey to Kentucky 373-4
To Governor Lee; relating to a mission to the State of Kentucky 374-5
To James Wood, Lieut.-Governor; relating to permission of executive to accept the mission to Kentucky 375
To the Governor; relating to his inability to attend to the case of Fairfax vs. the Commonwealth 469-70

INOCULATION.
In January and February, 1794 369

INQUISITION.
Taken in Frederick quashed 131

IRONS, JOHN 134

IRON, JOHN.
Affidavit in dispute between Col. Campbell and Capt. A. Lewis 140

IRVINE, WM 53

ISAAC, Ship 182

ISLE OF WIGHT.
Number of militia 163
Lieut.-Colonel commanding charged with misconduct 233

ISLE OF WIGHT COUNTY.
Militia ordered to aid State authorities 223-4

J

JACK.
Property of Ralph C. Anderson, convicted by the court of Chesterfield of an attempt to poison Wm. Claiborne and wife; recommended for mercy 30

JACKSON, CHRISTOPHER 377

JACKSON, COL 69

JACKSON, COL. GEO. 289, 444

JACKSON, EDWARD 469

JACKSON, GEORGE.
To James Wood, Lieut.-Governor; informs him of a change of sentiment among the insurgents 303-4
To the Governor; informs him that there was no disposition to resist the excise law 304

JACKSON, JOHN 468-9

JACKSON, Scout 469

JAMES, CAPT. 39

JAMES, FRANCIS.
Recommended as agent 23, 25

JAMES RIVER COMPANY.
Notice for meeting the first Monday in October; assessment of £10 per share to be paid 312

JAMESON, JOHN.
Recommends Daniel Strother as agent 7

JANE, Ship 199

JAVAIN, Mr. 24

JARVIS, SIR JOHN 137

JAY, Mr. 137

JEFFERS, JOHN.
To the Governor; offers services of Petersburg Light Horse to go to Smithfield 226

JEFFERSON, Mr.
Letter to Mr. Hammond 30

JEFFERSON, Mr. 48, 450

JEFFERSON, THOS.
To Mr. Hammond, British Minister; relating to the rights of belligerant nations in the waters of the United States 492-4

JEFFRIES, AMBROSE.
Prays for remission of fine 149

JEFFRIES, JOHN, Capt. 124

JEFFRIES, WM. 378

JENKINS, ENSIGN 73, 299, 372, 379, 443, 448

JENKINS, JOHN 157

JERVIS, ADMIRAL 294

JERVIS, J.
To John Hamilton; denying charges of ill treatment of American vessels and seamen by him at Gaudaloupe 294-5

JOE.
Convicted of the murder of Wm. Bradley 192-3

JOHNSON & FOSTER 157

JOHNSON, BENJAMIN.
Recommends Richard Barbour as agent ... 17

JOHNSON, JOHN ... 85

JOHNSON, JAMES ... 196, 327, 380

JOHNSON, THOS., David Stuart, and Daniel Carroll, Federal Commissioners.
To the Governor; relating to the payment of last instalment due by Virginia for Federal Buildings ... 22
Ask payment of Virginia donation for Public Buildings ... 196–7

JOHNSTON, GEORGE ... 169

JOHNSTON, JAMES ... 169

JOHNSTON, PHIL.
To the Governor; acknowledging receipt of commissions for officers of his regiment ... 158

JOHNSTON, P. H ... 123

JOINS, JAMES.
To the Governor; relating to the conviction of Wm. John Thweatt in the city of Richmond, for an offence committed in Dinwiddie ... 463–4

JONES' BRIGADE ... 343

JONES ... 271, 342

JONES, CHARLES ... 187

JONES, JOHN ... 85, 145, 390
To the Governor; prays remission of fine ... 142
Relating to damages on judgment against him as sheriff of Dinwiddie county ... 170
To the Governor; prays remission of fine ... 288
Prays for remission of fine against Joseph Jones ... 479

JONES, JOSEPH ... 387
To the Governor; informing him that a company has been formed in Petersburg, who desire to be designated as the Petersburg Troop of Horse ... 124
To the Governor; prays for remission of fine ... 145
To the Governor; represents Geo. Brown, convicted of horse stealing to be of unsound mind ... 148
To the Lieut.-Governor; prays remission of fine ... 170
To the Governor; relating to the expenses of his brigade on the western expedition ... 439
Prays for remission of fine ... 480

JONES, Rev. Mr ... 480

JONES, ROBERT ... 415

JONES, THOMAS ... 157, 379, 381

JONES, WILL or THOS ... 140

JOURNAL OF PRIVY COUNCIL.
Called for ... 370

JUSTICES.
For Madison ... 227

K

KAMERA, Mr. 424

KANAWHA COUNTY.
Number of militia. 166

KEAN, JOHN. 53

KELLY. 305

KELLY, ENSIGN. 380

KELLY, GEORGE. 168

KELLY, JAMES. 284

KELLY, Mr. 366

KELSO, British Deserter. 314

KEMP, WM. 160

KENNINGHAM. 271

KENNON, RICHARD.
To the Governor; recommends Thos. Vaughan as agent. 11

KEMP. 271

KEMP, GEO. 160

KENT, Contractor. 59

KENT, JOSEPH. 270
Recommended as paymaster. 71
To the Lieut.-Governor; applies for an advance as contractor for troops on South West frontiers. 418

KENT, Mr. 337, 409

KENTUCKY.
James Innes sent on a mission to, by the President. 373-5

KEY, JOHN.
To the Lieut.-Governor; relating to the obtainment of a second deed for a tract of land. 10

KIDD, JOHN.
Not in commission. 129
Recommended as inspector at Shepherd's warehouse. 129

KIND, Mr. 463

KING GEORGE.
Number of militia. 163

KING, MILES.
To the Governor; fund for French emigrants exhausted. 273

KING, WM.
Took the oath of fidelity in Washington county. 397

KING & QUEEN COUNTY.
Justices of....120, 129
Number of militia.... 162

KING WILLIAM COUNTY.
Number of militia.... 166
Justices of....176, 327

KIRKPATRICK, ABRAHAM.... 251

KNOWLES, CAPT.
Shotted gun fired in a salute accidentally.... 38

KNOWLES, SIR CHARLES W....39, 75-6

KNOX, H., Secretary of War.
To the Governor; relative to the advance of money for services of the Virginia militia.... 19
To the Governor; relating to the fortification of Norfolk.... 30
To the Governor; relating to mounting heavy cannon on the Fort at Norfolk.... 69
To the Governor; transmitting copy of a law relative to fortifications of harbors therein mentioned.... 80-1
To the Governor; Daniel Bedinger of Norfolk recommended as Superintendent of construction of gun carriages for use at that place.... 81
To the Governor; relating to the spoliation committed at Gaudaloupe by the French privateer Preus.... 113
To the Governor; informing him that Major Rivardi has been appointed to fortify Baltimore, Alexandria and Norfolk.... 87
Instructions to J. J. Ulrich Rivardi.... 92-5
To the Governor; relative to settling accounts of Virginia with the United States, 123
To the Governor; relating to certain indulgencies to the St. Domingo fleet proposed, 137-8
To the Governor; relating to act directing a detachment from the militia of the United States.... 145
To the Governor; reply to his letters respecting ship Dunstable and restoration of a British Brig captured within limits of the United States.... 198-9
To the Governor; relating to fortification at Norfolk and the British vessels Charles and Delight.... 174
To the Governor; relating to the sum destined for the fortification of Norfolk.... 237
To the Governor; expressing the satisfaction of the President of the United States at the arrest of ship Unicorn at Smithfield.... 240
To the Governor; relating to a vessel belonging to the British Consul taken possession of by General Mathews.... 276
To Lieut.-Governor Wood; relating to arsenal or magazine of the United States proposed to be established in Virginia.... 367
To the Governor; transmits thanks of House of Representatives of the United States to the militia in actual service for the suppression of the late insurrection.... 392

KNOX, GENERAL....110, 459

L

LACEY.... 306

LACEY, JAMES.... 286

LADY WASHINGTON, Schooner.... 139

LEE, FRANCIS LIGHTFOOT.
Recommends James Pierce as agent.... 8

LA MOYNES.... 401

LANCASTER COUNTY.
Number of militia ... 166

LAND OFFICE.
Additional clerks allowed ... 425

LANE ... 169

LANE, Lieut.-Colonel ... 322

LANES, Mr ... 14

LANGFORD, CAPT ... 155

LANGHAM, E.
To the Governor; sends account for provisions furnished at Point of Fork ... 98
To the Governor; asks payment for provisions furnished at Point of Fork ... 147
To the Governor; relating to his account for the provisions for Point of Fork ... 177, 278-9
To James Wood; relating to contract to furnish provisions at Point of Fork ... 320
To James Wood, Lieut.-Governor; informs him that he will soon join the army in charge of cartridges ... 359-60
To the Governor; relating to his contract for supplies of provisions at the arsenal, 498-9

LANGHAM, ELIAS, C. M. S ... 340

LANGHAM, MAJOR E ... 336

LANGHAM, MAJOR ... 317, 369

LARELLE, JOSEPH ... 413, 431, 456
Apprehended and committed to prison ... 15

LARELLE, Mr ... 428

LARY, Mr ... 312

LARY, ALEX ... 213

LARTY, CAPT ... 224

LATHAM, JOHN ... 153
Master ... 155

LAWRENCE, JOHN ... 85-6

LAWS.
Cost of binding ... 128

LAWSON ... 160

LE COMPT, F. W. E ... 107

LE GRAND, PETER, Judge ... 328

LEE, CAPT ... 185

LEE, CHARLES.
To the Governor; recommends Alexander Smith as Flour Inspector for Alexandria ... 68

LEE COUNTY.
Threatened by Cherokee Indians ... 2
Number of militia ... 166
Charles Carter clerk of ... 177

LEEDS, MANOR.
Relating to escheat of....4, 130-1
Collection of rent in.... 286
Relating to escheat of.... 352

LEE, GOVERNOR....5, 35, 105, 128-9, 206-7, 211, 338, 342, 357, 362, 392-3, 499
To Capt. A. Lewis; appointing Capt. Neil and Ensign Cockrell to take command of the men in the room of Capt. Crockett....217-18
To Samuel Coleman; instructions to keeper of Capitol as to his duties.... 230
To the Secretary of War; communicates attempt made at Smithfield to resist the execution of the laws.... 233-4
To General Wood, Lieut.-Governor; relating to the fighting force of the insurgents.... 318
To General Wood; thanks him and the council for their approbation.... 322-3
To the Lieut.-Governor; relating to the accommodation asked of the Bank of Alexandria.... 325
To Col. Cocke; relating to insubordination in Surry county.... 330
To ——; suggesting the best methods of arousing the patriotic feelings of the people of Surry.... 330-1
To C. Avery; urging him to co-operate with General Bradby in restoring the patriotic feeling of the people of Surry.... 334
To Lieut.-Governor Wood; relative to his march to suppress the whiskey insurrection.... 336
To General Wood; urging him to the discharge of the duties assigned to him by the Constitution in the absence of the Governor.... 354

LEE, HENRY.
Resolution that Executive furnish all information relating to request by the President of the United States that General Lee would take command of the army raised for suppression of whiskey insurrection.... 372
To the Governor.... 377

LEE, MAJOR-GENERAL.... 204, 223-4

LEE, Mr.... 386

LEE, RICHARD.
Recommends Joseph Pierce as agent.... 8

LEE, RICHARD E.... 168

LEE, RICHARD E., Recorder.... 170

LEE, RICHARD HENRY.
Recommends James Pierce as agent.... 8

LEE, PHILIP.
Recommends James Pierce as agent.... 8

LEE, THOMAS.... 66

LEE, THOS., Jr.
Recommends Henry Dade Hooe as agent.... 17
To the Governor; relating to certain lands of the Commonwealth claimed by tenants of the same.... 20
To the Governor; relating to staying sale of Bristow land.... 79

LEE, THOS. LUD.
And W. Alexander, to the Governor; recommend Enock Mason as agent.... 1

LEGG, JOHN, Lieutenant.... 61

LEGGS, JOHN.... 144

LEIGH, J. S. H. C.... 4

LENDER, Orphan boy.... 24

LEEKE, PAUL D. 295

LENNOX, MAJOR, Marshal 251

LENOIR, WM., S. S. 4

LERTY, CAPT. JOHN 473

LESTER, JOHN 110, 238

LETTER.
To the Executive; relating to the office of Col.-Commandant of the county of Buckingham 365

LEWIS, A. 270
To the Governor; Lee county threatened by the Cherokees 2
To the Governor; relating to his company 27
To the Governor; enclosing letter of Col. Cocke, with the opinion of the latter that the safety of the frontier depends on driving the Indians from the woods between Cumberland and the Tennessee 32-3
To the Governor; relating to the inadequacy of his company to protect 150 miles of frontier 96-7
To the Governor; relating to the importance of Capt. Hawkins' company coming to the relief of the troops guarding the frontier 99-100
To the Governor; relating to the murder and capture of the family of Mr. Livingston of Washington county 113-14
To the Governor; giving particulars of the mischief done at the house of Mr. Livingston 115
To the Governor; relating to the recapture of prisoners taken by the Indians in Washington county 117
To the Governor; relating to number of troops under his command 135
To the Governor; relating to his inability on account of his duties at Fort Lee to take depositions concerning Col A. Campbell's conduct 137
To the Governor; forwarding resignation of Capt. Crockett 208
To the Governor; relating to the various companies under his command 263-4
To the Governor; suggesting volunteers instead of drafts from the militia in this region for suppression of the whiskey insurrection 337-8
To the Governor; relating to the time when the troops commanded by him should be discharged 409-10
To the Governor; informs him that he was on the way to Richmond to settle his public accounts 446
To the Governor; soliciting the appointment of Paymaster for the troops on the frontiers in place of General Tate, expected to resign that position 481
To the Governor; enclosing statement of monies due him for the year 1793 482

LEWIS, ANDREW.
To the Governor; relating to his expedition from Fort Lee on the 19th of February to explore the routes of Indians and ascertain their camping grounds 81-3

LEWIS, CAPT. 14, 71, 118, 133, 139, 380, 390, 460

LEWIS, COL. THOMAS 37

LEWIS, COL. 130, 281

LEWIS, FRANCIS 192

LEWIS, THOS. 189, 430
To the Governor; transmits a return of men for winter establishment at Bellvill, and certificate of Spies at Point Pleasant 131
To the Governor; relating to dispute between Col. Clendenin and Lieut. Mann 190
To the Governor; relating to artillery company under his command 270

LEWIS, WARNER.
Recommends Peter B. Whiting as agent 7

LIGON, JOHN 192

LIGON, SETH 192

LINDSAY 185
To the Governor: informs him that the Nonpariel had moved towards Cranny Island 275

LINDSAY, ADAM 160

LINDSAY, BENJAMIN 160

LINDSAY, COL 219

LINDSAY, MAJOR 337, 346

LINDSAY, Mr 220, 223

LINDSAY, WILLIAM, Collector.
To the Governor; informing him of the arming of the ships Chickamauga and Sally, and another, contrary to regulations, in Chesapeake Bay 87
To the Governor: enclosing letter from Copeland Parker 114
To the Governor: informs him of release of ship Isaac 173
To the Governor; relating to six guns of the ship Isaac 182
To the Governor; relating to vessel loaded with ammunition designed for ship fitting out at Smithfield 216
To the Governor: relating to schooner under French colors cast on shore on Cape Charles 257
To the Governor; relating to the process against schooner Nonpariel 275
To the Governor: informing that the British Frigate Quebec has arrived in Hampton Roads 322
To the Governor; informing him of the arrival of three British ships in Hampton Roads 459

LIPSCOMB, AMBROSE 86

LIST OF COMPANY OF FIFTY-FOURTH REGIMENT.
Wm. Vaughan, Captain, connected with work on Fort Nelson 160

LITTLEPAGE, THOS 327

LITTLE, LIEUT.-COL 322

LIVINGSTONE, Mr 109, 113, 115

LIVINGSTONE, Mrs 109, 114

LIVINGSTON, Mrs. ELIZABETH, of Washington county.
Giving an account of her capture and detention by the Indians 111-12

LIVINGSTONE 123

LITTLEJOHN, JOHN.
To the Governor; relating to claims for guards on the Potomack 220-1

LOGAN 160

LOGANS, CAPT 140

LOGWOOD, EDMUND 192

LONG, RICHARD 451

LOVINGSTON, Mr 264

LOVE, ALEXANDER 273

LOUDOUN COUNTY.
Number of militia 164

LOUISA COUNTY.
Number of militia ... 164

LOVELL, ELIZABETH.
Asks for a new pension warrant ... 23

LOVING, WM. ... 187

LOWE, RICHARD ... 377-8

LOWTHER, CAPT. ... 179-81, 294, 379, 443

LOWTHER, COL. ... 290

LOWTHER, J. WM.
To ——; requesting him to post his company at Great Hocking ... 261-2
To Col. Cornelius Bogard; thinks it wrong to discharge the men who have served as spies through the winter months ... 261

LOWTHER, MAJOR ... 73, 95

LOWTHER, WM. ... 28, 260
To the Governor; relating to rangers in Harrison county ... 69-70
To General James Wood; relating to present state of frontier ... 186
To Lieut.-Governor Wood; relating to muster roll for six scouts ... 186
To the Governor; relating to stationing troops on the Ohio river ... 216-17
To the Lieut.-Governor; relating to the company of Capt. Bogard ... 372
To the Governor; reports the loyalty of the people of his county ... 298-9
To the Governor; informs him that he had discharged the scouts and rangers of his command on the 1st of February ... 443-4
To the Governor; relating to docking John Jackson in his pay, and his discharge from the service ... 468

LOWTHER, T. WM.
To the Governor; relating to money due to the scouts ... 151

LOWTHER, Scout ... 469

LOYALL, GEORGE ... 168

LOYALL, PAUL ... 168, 170

LLOYD, JOHN ... 478

LUDINGTON, ACE ... 217

LUNATIC ASYLUM.
Funds for support of ... 142
Funds of ... 214-15
Recommendations for directors ... 361

LUNENBURG COUNTY.
Number of militia ... 165

LYLE, SAMUEL.
Security for John Bowyer ... 105

LYNHAM, GEORGE ... 87

LYNE, WM.
Declined to act ... 129

LYNE, WM., Jr.
Not qualified ... 129

LYON, JAMES ... 147, 408

LYNX, British ship ... 369

M

MABRY, ROBERT 387

McALEXANDER, ALEXANDER 187

McCALLY, JOHN, Captain 444

McAULEY, ALEXANDER 85

McCAULEY 103

McCAULEY, Mr 138

MACAULEY, ALEXANDER 148

McCALLEY, JOHN 249

McCHORS, ROBERT 300

McCLANAHAN, JOHN 378

McCLEERY, EDWARD 284

McCLEERY, COL. WM 290

McCLEERY, WM.
To Lieut.-Governor Wood; relating to Indian prisoners taken by Lewis Morgan 443
To the Governor; relating to the distribution of ammunition 73-4
To the Governor; relating to the efforts of the insurgents to disturb the peace in Randolph, Harrison and Ohio counties 279
To the Governor; relating to abstracts and muster rolls he desired to have sent to him 464

McCLEERY, COL 96

McCLERRY, COL 262

McCLURG, COL 70, 80

McCLUNG, Mr 452

McCOLLOCK, CAPT. JOHN 18-19
Incursion into Indian country 7

McCOLLOCH, JOHN.
To the Governor; arrest of Lieut. Biggs for trial by court-martial 28

McCOLLOCK, CAPT 73, 180, 217

McCOLLOCK, JOHN.
To the Governor; relating to matters connected with his company 79-80
To the Governor; relating to Indian murders on the frontier 179

McCONNEL, ALEXANDER 107-8, 437

McCRAW, JAMES.
Appointed escheator for Halifax county 88
To the Governor; relating to the commission of James DeJarnette as a justice of the peace 194
To James Wood, Lieut.-Governor; resigns as escheator of Halifax 368

McCRAW, Mr 389, 399

McCREEDIE, GEORGE 36

McCRERY 169

McCULLOCK, CAPT 182, 299, 372, 379
To the Governor; complains that the finding of the court-martial in his case was malicious 301-2
To the Governor; relating to mischief done by Indians on our frontier 324
To James Wood, Lieut.-Governor: relating to Indian troubles on our frontiers 363-4
To the Governor; informs him that the Indians killed two men and wounded another on our frontier 418
To the Governor; states that he had sent pay abstract and muster rolls 452

McCLELLAND, LIEUT 272

McDARMAND, DANIEL 436

McDOWELL.
Security for John Bowyer 105

McDOWELL, Judge 450

McGAVOCK, JAMES 430
To the Governor; relating to lead due to commonwealth by Moses Austin 412-13

McGAVOCK, LIEUT 83, 263

McKEE, ROBERT 285

McKEE, WM.
To the Governor; solicits arms for company of Captain Caruthers 501-2

McKINLEY, WM.
To the Governor; resigning his commission as Justice of Peace for Ohio county 90

McPHERSON, DANIEL 160

McPHERSON, HUGH 160

McRAE, ARCHIBALD 328

MACE USED BY HOUSE OF DELEGATES.
Resolution for sale of 371
Sold by order of same 391

MACHIE, ANDREW 133

MACHIE, ANDRES 497

MACHIN, Mr 400

MADDOX, JOHN 290, 417

MADISON COUNTY.
Number of militia 166
Justices and sheriff qualify 227

MADISON, J.
To the Governor; requests order for £11 for Lunatic Asylum at Williamsburg 142
To the Governor; relating to order of directors of Williamsburg Hospital 195

MADISON, THOS.
To the Governor; recommends Joseph Kent as paymaster 71

MAGILL, ARCHIBALD 360

MAHER, LAWRENCE 456

MALCOMB, CAPT. 219

MANCHESTER.
Disturbances threatened in 34
Guard established 35
Small-pox in 35
Regulations concerning small-pox 35-6
Disturbance relating to small-pox 40
Chesterfield court orders guard in 42
Disturbances in 57

MANN, CAPT. 131

MANN, LIEUT. 131

MANN, MOSES.
To the Governor 37
To the Governor; relating to the establishment of two stations on the Ohio and Kanawha 130
To the Governor; refuses to obey the orders of Captain Clendenin 188

MARABLE, BENJAMIN 467

MARCHAND, Mr. 15

MARINE INSURANCE.
Letter of William F. Ast relating to 190

MARKHAM, BERNARD 36, 42-3

MARKHAM, GEORGE 500

MARKHAM, VINCENT 192

MORREL, SAMUEL 484

MARSDON, JAMES 85-6

MARSH 160

MARSH, SAMUEL.
To the Governor; solicits appointment as notary public for Norfolk 160

MARSHALL 66

MARSHALL, BRIGADIER 203, 287

MARSHALL, BRIGADIER-GENERAL 234

MARSHALL, GENERAL 265
Opinion relating to the purchase and sale of lands for arrears of taxes and duties, 347
Opinion relative to fines and penalties under the militia law 347-8

MARSHALL, J.
To James Wood, Lieut.-Governor; applies for arms for several companies of Richmond militia 120
To the Governor; recommending shelter for the artillery 148
To the Governor; relating to the arrest of the ship Unicorn 228-9
To the Governor; report of circumstances attending arrest of ship Unicorn 234-5
To the Governor; relating to certain articles required by the Capt. of artillery of Richmond 309
Opinion that the commission of Elisha White, sheriff of Hanover, is forfeited for failure to qualify in time 383-4
Opinion as to sale of Craig's land 403-4
To the Governor; relating to the contest between the Commonwealth and Wm. Fairfax 446

MARSHALL, JOHN..... 451
Attorney for S. B. Cunningham..... 102

MARTIN'S BRIGADE..... 343

MARTIN, GENERAL..... 430-1

MARTIN, JOS..... 249

MARTIN, Mr..... 216

MARTIN, THOS. C., J. P.
Acting..... 129

MARTIN, WM..... 151, 179-80

MARNIX, JOHN..... 437

MARYLAND.
Legislature of, refuses to pass a law to sell the shares of delinquents in the Potomac company..... 125

MASON, E.
To the Governor; solicits arms..... 197

MASON, ENOCK..... 1
Solicits agency..... 8
Recommended as agent..... 9

MASON, GEORGE..... 450

MASON, JOHN..... 415

MASON, Mr..... 123

MASSENBURG, JOHN..... 415

MASSENBURG, WM..... 415

MASSEY..... 271

MASTERTON, DAVID..... 429

MATHEWS COUNTY.
Number of militia..... 165
Thos. Tabb, sheriff of..... 184
Revenue tax in..... 184
Justices of..... 462, 467

MATTHEWS, BRIGADIER-GENERAL..... 220

MATTHEWS, COL. THOS..... 107

MATTHEWS, GENERAL..... 97, 106, 276

MATTHEWS, THOS..... 108, 109
To the Governor; informing him of vessels loading and sailing before the official notice of embargo reached him..... 98-9
To the Governor; relating to a boat belonging to the British Consul about to sail to New York, stopped and taken possession of by General Matthews..... 103-4
To the Governor; relative to the restoration of a vessel improperly captured by Admiral Vanstable..... 106-7
To G. K. Taylor; revenue cutter sent to his aid..... 224
To the Governor; relating to two vessels arrived in the port of Norfolk suspected to be privateers..... 256-7
To the Governor; relating to the treatment of Mr. Hunter and himself by the officers of the schooner Nonpariel..... 274-5

To the Lieut.-Governor; relating to movement of troops from Virginia to suppress the whiskey insurrection 341-2
To Lieut.-Governor Wood: relating to detachment of cavalry and infantry sent to Fort Cumberland 343
To the Governor: respecting the admission of two ships of war into the harbor of Norfolk 420
To John Hamilton: refusing permission to the Lynx to deliver supplies to the Thetis 421

MATHEWS, THOS., B. G. 223

MATTHEWS, WM. P.
To the Governor; relating to a vessel supposed to be preparing for privateering 74

MATTIAS, FREDERICK 257

MAUGER 169

MAUNDE, Mr 374

MAURY, Mr 105

MAY, JOHN 450

MAYO, JOHN 258
Solicits military appointment 171-2

MAYO, THOS 133

MAYO, WM 192
To Col. John Steel; remonstrance against the pardon of Paul 192

MAYO, WM. JAMES.
To the Governor; solicits commission of ensign in the militia 186

MEADE 342

MEADE, BRIGADIER 203

MEADE'S BRIGADE 343

MEADE, DAVID.
To the ——; relating to the capture of schooner Sira of Baltimore, by the British ship Thetis, and taking therefrom Samuel Tull and three others 485

MEADE, Mr 374, 400

MECKLENBURG.
Number of militia 163, 167

MEGARY, HENRY 406

MEGARY, THOS 406

MERCER, ROBERT.
Attorney for commonwealth 144

MEIFRIEN, Mr 14

MEMORANDUM.
Of distances travelled by Richard Young conveying notices of embargo to various county officers 122-3

MEMORIAL.
Of A. Bledsoe, George Wilcox, Abraham Fulkerson, John V. Cook and James Fulkerson to the Governor; relating to murders perpetrated by Indians in Washington and Lee counties 108-9

MERIWETHER, T.
Solicits agency ... 8
To the *Governor*; sends bond as collector of taxes ... 59

MERRIT, RICHARD.
And other artisans at Point of Fork, asking rations for their wives ... 236

MERTON, RICHARD ... 68

MIDDLESEX AND ESSEX COUNTIES.
Number of militia ... 161

MIFFLIN, GOVERNOR, of Pennsylvania ... 15, 355, 426
To the *Governor*; requisition for Joseph Larelle ... 413-14
To James Wood, Lieut.-*Governor*; informs him that Wm. Douglass of Petersburg, Va., has been appointed agent to receive Joseph Larelle ... 431
To the *Governor*; informs him that he has appointed Lawrence Maher in place of Wm. Douglass, declined, to receive Joseph Larelle ... 456
Acknowledges receipt of revised laws of Virginia ... 502

MILBURN, DAVID, Sergeant ... 399

MILITIA.
Accounts with United States ... 19
In Greenbrier and Kanawha ... 33
In Washington county ... 59
In Fredericksburg ... 60
Artillery in Norfolk ... 63
Regulations for officers ... 67
Muster rolls for secretary of war ... 67
Officers of Monongalia ... 68
Additional regiments formed ... 78-9
Fredericksburg artillery, arms for ... 110
Of Richmond ... 120-1
Of Fredericksburg ... 121
Troops of Horse in Petersburg ... 124
Aid in enforcing embargo ... 125-6
In service on Ohio and Kanawha ... 130
James A. Bradby, relating to his brigade ... 140-1
Of Chesterfield, armed ... 145
Called into service by United States ... 145-6
Pay and ration in U. S. service ... 146
Light infantry company in Caroline ... 149
Artillery company at Petersburg ... 149
Commissions solicited ... 151, 153, 155, 156, 171, 175
Of Fluvanna ... 159
Employed on Fort Norfolk ... 160
Statement of number of Virginia ... 161-7
Roll of company at Dumfries ... 168-9
Troop of Horse in Frederick county ... 171
In service on the Ohio ... 181-2
Officers of Amherst county ... 187
In service on Kanawha ... 188-9
Number of men in brigades called out ... 191
Officers of Pittsylvania ... 196
General orders to ... 202-5
Of Bedford county ... 205-6
Company in Williamsburg ... 210
Post on Ohio river ... 216
Powder for, on Kanawha ... 217
Additional force called out by President United States ... 218
Richmond Artillery company ... 221
Sent from Richmond to Smithfield ... 225
Service at Smithfield ... 228-9
Governor Lee, relating to misconduct of commander of ... 233
Service in seizing privateer at Smithfield ... 234-5
Cost of transporting to Smithfield ... 238

Light infantry company at Yorktown 253-4
In service at Tygart valley and Buchannon river 260-1
Expenses of Capt. Weisiger's company at Smithfield 264-5
Roll of artillery company in Gloucester county 270-1
Arthur Campbell's opinion of laws relating to 271-2
Arrest of Lieutenant-Colonel Wells of Isle of Wight 276-7
Court-martial ordered at Williamsburg 278
Muster rolls to be prepared for United States War Department 292
Estimate of march to Pennsylvania 292-3
Of Surry county opposed to serving in Pennsylvania 306-9
Muster of Morgan's brigade at Winchester 297
Equipment of Richmond artillery 309
Organization of Gen. Guerrant's brigade 312
Organization of Gen. Blackwell's brigade 312
Draft opposed in Surry 314-15
Dark's brigade assembles at Winchester 315-16
Expenses of Eighth brigade on expedition to Winchester 332-3
Opposition to draft in western counties 337
Letter of Thos. Mathews relating to force at Winchester 343-4
Complimentary resolution of General Assembly in regard to 368
Claims for services in 378-83
Complimentary resolutions of Congress relating to 391-2
On southwestern frontiers discharged 409-10
Light infantry company formed in Rockbridge 501

MILLER 160

MILLER, CAPT 384

MILLS 160

MILLS, LIEUTENANT 379

MILLS, WM 453

MILSTEAD, WM 65

MINGO, Slave.
Condemned to be hanged 156

MINOR, DABNEY.
To the Lieut.-Governor; relating to preventing leaks at Capitol 249-50

MINOR, JOHN, JR.
To the Governor; informs him that Mr. Brooke has gone to Shenandoah, Frederick and Fauquier counties to attend coroner's inquest 37

MINOR, Mr 123, 212

MINOR, THOS 123

MITCHELL, WM., late sheriff of Patrick.
Prays for remission of fine 408

MITCHELL, THOS 249

MITCHELL, ALEXANDER.
To ——— ; relating to a scout on Licking Creek 299-300

MITCHELL, JACK 176

MITCHELL, ROBERT.
To the Governor; relating to impressment of sloop Molley 225
To James Wood, Lieut.-Governor; small-pox rumor of prevalence unfounded 369

MOLLOY, THOS 328

MONONGALIA COUNTY.
Number of militia ... 165

MONROE, COL ... 453

MONROE, JAMES ... 211

MONTGOMERY, A ... 402-3

MONTGOMERY COUNTY.
Number of militia ... 165-6

MONTGOMERY, HENRY ... 399

MOORE, CAPT. JOHN ... 125

MOORE, CATO.
To the Governor; prays remission of damages ... 463

MOORE, CAPT. JOHN ... 406

MOORE, LEWIS ... 478

MOORE, Mr ... 206

MOORE, WM ... 293

MORGAN, Aid-de-camp ... 357

MORGAN, DANIEL.
To the Governor; informing that the men do not turn out as hoped for for suppressing the whiskey insurrection ... 297
To the Governor; relating to General Darke's brigade ... 316

MORGAN, DANIEL S ... 466

MORGAN, ENSIGN ... 299

MORGAN, HAYNES.
Recommends Peter Barksdale as agent ... 18

MORGAN, GENERAL ... 298, 316, 318, 342, 344

MORGAN, LIEUTENANT ... 372, 464

MORGAN, LEVI, Ensign ... 379

MORGAN, LEWIS ... 443

MORGAN, MAJOR-GENERAL ... 322, 354

MORGAN, Mr., Adjutant-General ... 238

MORGAN, SERGEANT LEROY ... 301

MORGAN, SIMON ... 277
To the Generals of division; relating to general orders of the Commander-in-Chief of the militia ... 191
To the Governor; asking the appointment of John Stuart as his deputy, if one is needed ... 274

MORGAN, Scout ... 469

MORRIS ... 37

MORRIS BROTHERS.
Killed near Bellville ... 180

MORRIS, CAPT. 395, 398

MORRIS, CAPT. JOHN 406, 340

MORRIS, JOHN 282, 305
To the Governor; asking pay for his company for year 1792 366

MORRIS, Mr. 305

MORRIS, WM. 284, 390, 398
To the Governor; relating to a complaint of Allen Pryor against him for breaking open a letter 385-6
To the Governor; relating to rations furnished Capt. Hugh Carperton's company, 408-9

MORTIMORE 160

MORTIMER, CHAS. 144, 339

MORTIMER, Dr. 264, 483

MORTON, JERRY 208

MORTON, JOHN 451

MOSBY, JOS. 192

MOSBY, L. 192

MOSBY, L., Jr. 192

MOSEBY, WM. 192

MOSELEY, ALEXANDER, C. N. B. 168, 170
Call for money lent for relief of French emigrants 202

MOSELEY, EDWARD 42-3

MOSELEY, WILL 192

MOSS, WRAY 423

MOSES.
Charged with murder of Wm. Bradley, acquitted 192-3

MOUNTJOY 68

MULENBURG, FREDERICK AUGUSTUS.
Speaker House of Representatives 84

MULLENS, DAVID.
To the Governor; complains of the court of Goochland 147

MURRAY, ADMIRAL 457, 475, 486, 496, 498

MURRY, REAR ADMIRAL 472-3, 490

MURRY, THOS.
Condemned to be hanged 133
Petition of the venire for his pardon 139

MUSCHETT 169

MUSE, LAWRENCE.
Solicits agency 18
Recommended as agent 25

MYERS, MOSES, French Agent 77

N

NANSEMOND.
Number of militia ... 165

NASH, THOMAS ... 405

NASH, JOHN ... 405

NED, Negro man slave.
Sentenced to be hung ... 208

NEIL, CAPT ... 263

NEIL, WILLIAM ... 380

NELSON, J ... 18

NELSON, THOS ... 18, 327
To the Governor; solicits arms for his company ... 155-6
Of Yorktown ... 204
To the Governor; relating to his company ... 253

NELSON, THOS., Jr.
To General Wood; relating to Rank of Lieutenant-Colonel Little of Fairfax, and Lieutenant-Colonel Lane of Loudoun ... 322

NELSON, MAJOR THOS ... 357

NELSON, WILLIAM.
To the Governor; intercedes for pardon of John Vaiden ... 310

NETHERLAND, JOHN, Jr ... 192

NEUTRALITY.
Opinion of Attorney-General relating to violation of ... 10
H. Knox, Secretary of War relating to ... 30
Threatened violation of ... 106, 133-5
Violated by French ship of war ... 153
Violated by English Frigate ... 286
Violated by English Frigate bringing French prize into Norfolk ... 338-9
Letter of Edmund Randolph relating to British violation of ... 351-2
Letter of W. Wilson regarding ... 490
Letter of Edmund Randolph in regard to ... 491-2
Letter from Thos. Jefferson to British minister regarding ... 492-4
A brigantine of 166 tons about to go to sea in violation of the embargo, taken possession of by John Cropper ... 125-6

NEVENSON, Mr. JOHN ... 256

NEVILL, GENERAL ... 251

NEW ... 271

NEWELL ... 460

NEWSUM, WILLIAM ... 483

NEWTON, COL ... 12, 182, 185, 223

NEWTON, COL. THOS ... 499

NEWTON, Mr ... 426

NEWTON WM. 88

NEWTON THOS.
To James Wood, Lieut.-Governor, relating to Jos. Lavelle 75

NEWTON MARTIN 4

NEWTON MARTIN 1

NEWTON THOS. Jr. 226, 27
To the Governor asking that a uniform be exec for the artillery also a shelter for the guns 27
To the Governor relating to raising of an artillery company 27
To the Governor relating to shotted gun fired from the Jeoedains 27
To the Governor desiring instructions as to recruits for the militia 27
To John Hamilton, British Consul relating to Mr Cooper's ship 27
To the Governor relative to property captured on the sloop Diligent belonging to Miss Tucker and Miss Newton 1
To Lieut.-Governor Wood relating to reception of resolves of Congress for issuing an emission 6
To James Wood, Lieut.-Governor relating to recommendations for aldermen for Borough of Norfolk 167, 2
To the Governor asking proclamation concerning riot in the Borough of Norfolk 2
To the Governor, expects soon to complete Fort Norfolk, condemnation of American vessels at Martinique reported 2
To the Governor relating to six ships reported to be on our coast 2
To Capt. John Cooper, relating to his promise to land the guns of ship Isis 2
To James Wood, Lieut.-Governor relating to proclamation of the Governor of August 26, 1776 ..... 26, 2
To James Wood, Lieut.-Governor relating to importation of fever from West Indies 234
To the Governor, relating to the arrival in port of Norfolk of schooners Richmond from Jamaica and Adeline from St. Thomas 234
To the Governor, relating to a workhouse proposed to be built for French refugees 304
To the Governor relating to provisions for artillery company at Fort Nelson 305
To the Governor, relating to the artillery doing duty at Fort Norfolk 323
Relating to arrest of Capt. Ainsworth for violation of quarantine laws 325
To James Wood, Lieut.-Governor, relating to the infectious fever prevailing in Baltimore 339, 40
To Lieut.-Governor James Wood: relating to worn out arms sent to him 345
To Lieut.-Governor James Wood, reports arrival of several vessels at port of Norfolk 345
To Mr Cosez, Vice-Consul, F. R.: containing a complaint of French Minister to the Secretary of State 346
To the Lieut.-Governor: relating to quarantine 351
To James Wood, relating to expence of look-out boat 365, 6
To James Wood, Lieut.-Governor: informing him that British ships Lynx and Cleopatra are in Hampton Roads 365
To James Wood, Lieut.-Governor: opinion that the look-out boat may be discharged, 376
To the Governor: informs him that a French privateer had enlisted sixteen men and was carrying them off 394, 5
To the Governor; asking for a subaltern guard as a means of keeping the peace between the English and French 421
To the Governor; relating to David Raybourne, an American citizen, impressed on board the Lynx British ship of war 422, 3
To James Wood, Lieut.-Governor: relating to the opinion of Mr. Campbell, Attorney-General of Virginia, as to an impressed American citizen 427
To James Wood, Lieut.-Governor; informing him that Mr. Larelle is ready to be delivered on the requisition of the Governor of Pennsylvania 428
To John Hamilton: informing him that his powers are restricted to mariners of the merchant service 428, 9
To John Hamilton; relating to an outrage committed in the city of Norfolk by officers and seamen of the British ship Thetis 436, 42
To the Governor: relating to American citizens detained on board the Resolution, British ship of war 466
To the Governor; relating to two British ships supposed to be stationary 475

To the Governor; informing him of the arrival of a ship loaded with French negroes from Antigua, not permitted to land, but proceeded to North Carolina... 475
To John Hamilton; refers him for satisfaction to the officer who stopped the boat, 476
To the Governor; informs him of his inability to hire a suitable boat for the quarantine service... 483
To the Governor; relating to revocation of instructions... 485
To the Governor; desiring to know if the existing proclamation extends to the Bahama Islands... 503-4
To Gilbert Robertson; relating to vessel Prince William Henry... 504

NICHOLS... 160

NICHOLSON... 271

NICHOLSON, Mr... 226, 314, 330

NICHOLSON, THOS... 100

NICHOLSON, WM... 307

NIVISON... 160

NOEL... 169

NOEL, FREDERICK... 120

NONPARIEL, Ship.
Arrived in port of Norfolk in distress; suspected to be a privateer... 257
French schooner... 274

NORFOLK BOROUGH.
Number of militia... 164
Riot in... 12

NORFOLK.
Artillery company in... 31
Artillery in... 38
British ship at... 39
Artillery company... 63
Fortification of... 69, 80-1, 87, 184-5
Letter from engineer in charge of fortification... 91-2
Number of cannon at... 104
Enforcement of embargo at... 103-4
Cannon and soldiers for fortification at... 138
Expenditures for fortifications... 157-8
Recommendations for Alderman... 167-8
General Knox, relating to building a frigate at... 174
Fortification of Fort Nelson and Crany Island... 173
Work on the forts at... 175
Riot at... 170
Work on forts... 183
Number of laborers employed at forts near... 200-1
Progress of work on forts... 212-13
Progress of forts... 221-2
Amount appropriated by United States for forts at... 237
Artillery company on guard at forts... 305
Hospital for seamen... 392-3
Danger of conflict between English and French at... 416
Outrage in, by English sailors... 436-42
Arrival there of negroes from Antigua... 475
Federal troops to be removed from forts... 502

NORFOLK COUNTY.
Number of militia... 161, 166

NORTH CAROLINA.
Resolutions of, relating to suability of states... 3

NORTHAMPTON COUNTY.
Number of militia 163

NORTHUMBERLAND COUNTY.
Number of militia 163

NORTON, Mr 39

NOTTOWAY COUNTY.
Number of militia 164

NUGENT, JOHN 399

NUNNALLY, JOHN 192

O

O'CONNER 169

OHIO COUNTY.
Indians expected 19
Number of militia 161
Indians outrages in 324

ORANGE COUNTY.
Number of militia 161

OLD, JAMES, of Albemarle County.
Solicits the appointment of a commission for the recordation of a deed destroyed by the enemy 10

OLD SOLDIER.
Objections to obeying the call to suppress the whiskey insurrection 307–8

OLIVER 169

OLIVIER 271

OLIVER, BENJAMIN, Jr.
Recommended as agent 16

OLIVER, DAVID 144

OLIVER, JOHN.
Solicits an agency 9

ORDERS, General 198
Lieutenant-Colonel Wells of the twenty-ninth regiment arrested by order of the commander in-chief 276–7
Relating to the movements of the army in Pennsylvania 354–7

ORDERS, Rough 202–5
Requiring a second detachment of militia from this commonwealth 218

ORDNANCE.
In Richmond 121
Quarterly return of, at Point of Fork 458

OSTER, Mr., French Consul 12, 71, 76, 255–6, 346
To the Governor; relating to the prizes sought for by the Concord 132
To the Governor; complains of violation of treaty of friendship and commerce between France and United States by ship Terpsichore 286
To Lieut.-Governor Wood; relating to the violation of the laws of neutrality by the British ship Terpsichore 346

[illegible] complaining of the insulting conduct of the English towards the French in the harbor of Norfolk 41
[illegible] informs him that an English frigate with prizes has entered the river Norfolk 65

[illegible] Jefferson [illegible] of the proceedings of Congress of Senate of United States, first session, third Congress 13
[illegible] of the proceedings of Congress of the Senate of United States 40

[illegible]

[illegible] 47

[illegible] 36
[illegible] 1
[illegible] 2
[illegible] 2

[illegible] 3
[illegible] 15
[illegible] 36

[illegible] 14

[illegible] 11

[illegible] 21

[illegible] 23

[illegible] 25

[illegible] 15

[illegible] 1

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[illegible] 1

[illegible] 1

[illegible] 1

[illegible] 1

[illegible] 1

[illegible] 1

[illegible] 1

To the Governor; relating to the peace of Manchester, asking whether Militia shall be called out 34
To Lieut.-Governor Wood; militia in readiness to enforce embargo at Bermuda Hundred 97-8

PATTERSON, DAVID, L. C. C.
To the Governor; relating to calling out a guard to prevent an infraction of peace in the town of Manchester 57-8
To the Governor; relating to interview with Mr. Hayes during the small-pox controversy 57-8

PATTESON, JAMES 36

PATTON, ROBERT 144

PATTON, WM.
To the Governor; promising to recommend a fit person for agent in the Pendleton brigade district 119
To the Governor; states causes of delay in entering on duties as agent 217
Solicits agency 8

PAVOT, A 497

PAUL.
Petition for pardon 191-2

PAY ABSTRACT.
For scouts 469

PAYNE 160

PAYNE, WM 270

PRACHEY, COLONEL WM 339, 350

PEGRAM, GEORGE.
Prays remission of fine 290

PEAKE, JOHN 377

PRAKE, W. F.
To the Governor; relating to claims for land for services in the late war 171

PEARCE.
Illinois commissioner 54

PEARY, G 285

PECK, SAMUEL 126

PEG.
Negro woman condemned to death in county court of Louisa 9

PEGRAM, BAKER.
Prays remission of fine 290

PENDLETON COUNTY.
Number of militia 164

PENDLETON, EDMUND.
To the Governor; preferring the Bowling Green at which to hold Court of appeals .. 62
To the Governor; asks his certificate that Messrs. Chapman and Broadders are justices of Caroline county 419

PENDLETON, J., Auditor 103, 170, 361, 385
To the Governor; fleeing from small-pox 16

To the Governor; informing him that the Commonwealth's executions under the Acts of 1793, will soon be ready to go out ... 61
To the Governor; relating to judgment of Cunningham & Co.; asks instructions as to appeal ... 100-2
To the Governor; prays for remission of a fine erroneously imposed on Samuel Clayton, sheriff of Culpeper ... 118
To James Wood, Lieut.-Governor; relating to the law regulating the sale of property purchased by the brigade district agents ... 126-7
To the Lieut.-Governor; relative to judgment against David Ward, sheriff of Russell county ... 151
To John Dawson; relating to claims of certain agents to ten per cent. commission, 197
To William Patton; relating to executions ... 227
To James Wood, Lieut.-Governor; relating to enclosed letter from William Davies, agent ... 363
Certificate of the merit of Temple Elliott as a collector of public money ... 464
To the Governor; suspects fraud in sales under certain executions ... 401
To the Lieut.-Governor; relating to the claims of the State on the General Government for defence of the frontiers ... 427

PENDLETON, JAMES.
Declined to act ... 129

PENDLETON, Mr ... 116, 460, 500

PENDLETON, PHILIP, J. P.
Acting ... 129

PENN, GEO., Colonel Commandant ... 249

PENN, Mr ... 386

PENNOCK ... 160

PENNOCK, Mr ... 459

PENNOCK, WM., Naval Agent.
To the Governor; suggesting Gosport as a proper place to set up the frigate proposed to be built in Virginia ... 276

PENNSYLVANIA INSURRECTION.
Governor Lee's proclamation relating to ... 265-6
Disturbances in Morgantown ... 267-8
State of affairs at Morgantown ... 279
Edward Carrington's opinion relating to operations of militia ... 287-8
Estimate of march of militia for suppressing ... 292-3
Governor Lee's account of ... 318
Governor Lee's general orders to troops ... 355-7
Governor Lee's forces at Martinsburg ... 336
Commands of Generals Darke and Morgan take the field ... 342
Letters relating to conduct of troops ... 430-1

PERKINS, WM ... 344, 365

PERRIN ... 271

PETERSBURG.
Troop of Horse formed in ... 124
Artillery company ... 149
Quarantine against small-pox ... 71-2
Light-Horse volunteer service for Smithfield ... 226

PETERS, Mr ... 395

PETITION.
Of the jury which tried John Ford in the court of Prince Edward for the murder of Joseph Rowton ... 91

For pardon of Lewis and Armstead, condemned to be hung by a court for King William county 176
To the Governor; for additional troops to be posted on the frontier of Randolph county 262

PETTIT, Dr 401

PETTY, DUDLEY 65

PEYTON, CAPT 336, 369

PEYTON, Mr 167, 389, 399

PHELPS, THOS 496

PHILIPS, WM 386

PHILLIPSON, REUBEN 63

PICKERING, TIMOTHY.
To the Governor; informing him that the Jurneaux, or the Twins, armed and equipped as a cruizer has escaped from Delaware contrary to our neutrality laws, 417-18

PICKETT, MARTIN 412

PICKETT, WM.
To the Governor; memorial relating to his liability as sheriff of Fauquier 410-12

PIERCE, JOSEPH 8

PINDALE, Scout 469

PITTSYLVANIA COUNTY.
Number of militia 164, 167
Justices of 196
Recommendation of militia officers 196

PLATE.
Devised by John Tucker, captured by French privateer 39

POINDEXTER, JOHN, Jr., AND OTHERS.
Petition for pardon of negro woman Peg 9

POLLARD, Mr 353

POLLARD, ROBT 18, 129, 327

POLLARD, ROBERT, C. C 120, 312

POLLARD, ROBERT, J. P 176

POLLARD, WM., C. H. C 384

POLLY AND DAVY, negro slaves.
Condemned to death and sentenced to be hanged 326

POMPHEY, JOHN 327

POPE, SIMON 433, 435

POPE, ELIZABETH 433

PORTER, JOHN 377

PORTSMOUTH.
People of, charged with refusing water to British seamen 317

PORTERFIELD, ROBERT.
Solicits agency 25

POSEY, BENJAMIN 65

POTOMACK COMPANY.
Assessment of £12 sterling on each share to be paid 313

POTTER, GEORGE 85

POWHATAN COUNTY.
Justices of 192

POWHATAN AND CUMBERLAND.
Number of militia 162

POWELL, CHARLES 192

POWELL 68

POWELL, EDMUND 157

POWELL, LEVIN.
To the Governor; accepting the appointment of agent and sending bond for same, 62

POWER.
Conferred on Governor to remit damages and fines incurred by sheriffs and collectors in certain cases 414-15

POYTHRESS, Mr. 63

PRENTIS, JOSEPH 354
To the Governor; represents George Brown, convicted of horse-stealing, to be of unsound mind 148

PRENTIS, WM., Mayor of Petersburg.
To the Governor; relative to quarantine measures adopted to protect Petersburg against small-pox 71-2

PRESIDENT OF THE UNITED STATES.
To General Lee; on turning over the army to his command before returning to the the seat of Government 356-7

PRESTON, CAPT. WM. 96

PRESTON, Mr. 400, 501

PRESTON, ROBERT.
To the Governor; application for commission as sheriff of Washington county 273

PRICE, ELISHA 502

PRICE, ROBERT.
Not qualified 129

PRICE, THOS.
To John Dawson; asks opinion as to percentage of certain agents 195

PRICE, WM.
To the Governor; solicits command of battalion of militia 151
To James Wood, Lieut.-Governor; requesting to have two additional clerks for register's office agreeably to provision of last General Assembly 425

PRINCESS ANNE COUNTY.
Number of militia 162
State of militia of 236-7

PRINCE EDWARD.
Number of militia ... 165

PRINCE GEORGE.
Governor Lee compliments people of ... 334
Number of militia ... 165
People willing to do militia service ... 311

PRINCE WILLIAM COUNTY.
Number of militia ... 163, 166

PRIOR, A ... 285
To John Steele; asking for a warrant to collect money from sheriffs ... 400-1
To the Governor; asks pay as contractor for rations furnished militia in Kanawha, 401

PRYOR, ALLEN ... 368, 385, 390
Bond for furnishing provisions for militia in Kanawha ... 148
To James Wood; enclosing contract with self and Cavendish ... 153-4
To the Lieut.-Governor; request a second advance of money ... 296
To the Governor; relating to the money conveyed by him to the Bank of Alexandria ... 60

PRYOR, Mr ... 500

PRYOR, MAJOR JOHN ... 503

PRYOR, MAJOR ... 69

PRETS, French Privateer.
Complained of ... 113

PRIVATEER.
Fitting out at Smithfield ... 206
Attorney-General Campbell, relating to one at Smithfield ... 213
Description of vessel at Smithfield ... 214
Fitting out at Smithfield ... 215-16
At Smithfield, seized by State authorities ... 218-20, 228-9
Ammunition for, at Smithfield ... 232
Conveyed from Smithfield to Bermuda Hundred ... 234
President's satisfaction at capture of ... 240
Major G. K. Taylor's report of capture of ... 240-8
Alexander Campbell's opinion relating to a French ... 259-60

PROBY, CAPT ... 422

PROCLAMATION BY GOVERNOR.
For apprehension of thieves of negro children of Peggy Howell ... 206-7
Relating to quarantine ... 238-9
Relating to Banditti in Western Pennsylvania ... 265-6
As to quarantine revoked ... 404

PROPOSALS.
For public printing ... 424-5

PURVIANCE, JOHN ... 459

PUTOFF, JOHN ... 118

P———.
Recommends Nelson Crawford, Alex. Stuart, and Francis James as agents ... 26

Q

QUARANTINE
Superintendent of, at Alexandria 1
Guard on Potomack river 220-1
Proclamation of Lieut.-Governor relating to 228-9
Norfolk 250, 264
Arrest for violation of 325
Boat employed at Norfolk 465

QUARLES, ISAAC, J. P. 176

QUARLES, JAMES 327

QUARLES, ROBERT 177, 319
To the Governor: informing that he has sent 500 muskets and bayonets, 500 cartridge boxes and 1,000 flints 115-16
To Captain Samuel Coleman: has sent him arms mentioned in letter of the 11th ultimo 116
To James Wood, Lieut.-Governor: relating to increase of pay for issuing rations 167
To James Wood, Lieut.-Governor: relating to the loss of Robert Fowler armourer. 168
To the Governor: sends usual quarterly returns from barracks 302
To the Governor: relating to the exemption of garrison at Point of Fork from militia duty 235-6
To the Governor: asks instructions as to muskets-locks, also as to rations for the wives of artizans 236
To the Governor: petition of three artizans at Point of Fork for rations for their wives 290
To the Executive: petitions for an increase of his salary 335-6
To James Wood, Esq.: quarterly return from arsenal 341
To James Wood, Lieut.-Governor: relating to last quarters' wages and disbursements at the arsenal 349
To the Executive: relating to an increase of his salary 369-70
To the Executive: sends quarterly returns of military stores and pay-rolls 416-17
To the Governor: return of ordnance and other military stores at Point of Fork ... 456
To the Governor: asking that warrants held by him should be received at the treasury from parties having to pay money therein 419
To the Governor: forwards the customary quarterly returns from State arsenal 461
To the Governor: suggesting brass mountings for muskets 36
To James Wood, Lieut.-Governor: transmitting customary quarterly returns from Point of Fork arsenal 88
To Captain Samuel Coleman: relative to pay of Captain John Tinsley 89
To the Governor: relating to letting the new contract for furnishing provisions to State arsenal 499

QUARLES, MAJOR 499

QUARLES, THOMAS 176

QUARRIER, A. 309
To John Marshall, B. G.: offers his own and the services of other officers of artillery to make the first tour of duty 221

QUARRIER, CAPTAIN 113, 148

QUISNEL, AND COMPANY 387

QUINLAND, HUGH 377

R

RAGSDALE, DRURY 326

RAILEY, Mrs. TOYCE 192

RAMSAY, DENNIS, Mayor of Alexandria.
Encloses statement of French emigrants from Saint Domingo 23

RAMSAY, MAJOR 40

RANCOURT, MATT 15

RANDOLPH COUNTY.
Indian outrages 262

RANDOLPH, D. M., United States Marshall.
To the Governor; relating to his mission to Smithfield concerning the ship Unicorn, 218-19

RANDOLPH, D. M., AND G. K. TAYLOR.
To Captain Weisiger; urging an immediate transmission by express of their letter to the Governor 220

RANDOLPH, EDMUND, Attorney-General of the United States.
To the Governor; relating to settlement of public accounts between Virginia and the United States 22

RANDOLPH, EDMUND.
To W. D 56
To ——; relating to violation of treaty with France by a British frigate carrying a prize into Norfolk harbor 338
To the Governor; relating to treatment of French prizes in our ports 351
To the Governor; relating to the conflicting views of himself and the British minister as to the right of belligerant nations in the waters of Virginia 487-8
To the Governor; transmits six copies of President's proclamation recommending a day of thanksgiving 415
To the Governor; relating to a declaration and affidavit of Thomas Butler 495

RANDOLPH, EDMUND, Secretary of State, United States.
To Mr. Hammond, British minister; subjects treated in Secretary Randolph's letter of May 8th, 1795 492
To Mr. Hammond, British minister; informing him that the letter of his predecessor of 9th of September, will be adhered to 494-5

RANDOLPH, GOVERNOR B.
To W. D.; relating to salary 57

RANDOLPH, Mr. 220
Marshal 223
Secretary 279, 486

RANDOLPH, RICHARD, of Curl's 258

RANDALL, JOHN 160

RAYBOURN 428

RAYBORN, DAVID 365

RAYBOURN, DAVID 422

RAYNOLDS 160

RAYNOLDS, JOHN 385

READ, Dr. J. K 348

READ, J. K.
And James Russell to James Wood; ask for compensation as health officers 2
To James Wood; relating to the health of crew of schooner Federal 345

READ, THOS.
Recommends Col. Thos. Spencer as agent 16

REBURN, DAVID 467

RECOMMENDATIONS.
Of county court of Sussex for Justices of the peace 415

REDD, JOHN, Capt 249

REED, THOS 295

REID, ANDREW.
Solicits agency 9

REID, ANDREW, Clerk 105

REDMAN 160

REVELEY, GEORGE 254
To the Governor; relating to a deed to be signed by Ballentine & Reveley 361

REVELEY, JOHN 254

REGNAULT, MAD 23

RENAULT, CAPT 417

RENOE, DAVID 65

RENNOLDS, JOHN 33

RESOLUTION.
Of Council; relating to reduction of Col. Davies' salary 57
Of House of Delegates; commending the patriotism of the army in suppressing the whiskey insurrection 368
Of thanks of House of Representatives of United States to troops raised for suppression of whiskey insurrection 391-2
Of House of Delegates; asking for statement of sum expended in defence of frontiers for the last year 394

REVISED CODE.
Letter of Charles Hay relating to 291, 310
Printing of 366-7

REYNOLDS, JOHN 368, 390

RETURN.
Of all the ordnance in Richmond and vicinity 121

RICHARDS, WM.
Dead 129

RICHARDSON, CAPT 121

RICHARDSON, HOLT, J. P 176

RICHARDSON, Mr 127, 147

RICHARDSON, SAMUEL.
Solicits an agency ... 17

RICHARDSON, WM.
To James Wood, Lieut.-Governor; informs him that the Richmond Light Infantry have determined to change their red uniform to blue ... 99
And George ... 391

RICHESON, HOLT ... 190, 396

RICHERSON, COL ... 132

RICHMOND.
Small-pox in ... 16
Return of militia company in ... 100
Capt. Giles' militia company in ... 113
Captain Duvall's militia company ... 119
Grenadier company in ... 120
Number of militia ... 162
Troop of Horse tender services to State ... 197-8
Artillery company ... 221

RICHMOND AND WESTMORELAND COUNTIES.
Number of militia ... 164

RICHMOND LIGHT INFANTRY.
Relating to change of uniform ... 99

RIDDICK, Mr ... 416

RIDER, JAMES ... 157

RINKER, JACOB.
To the Governor; relating to resolution of Executive directing, escheator for Shenandoah, to collect all the back rents due Denny Fairfax in this county ... 471

RIOT.
Apprehended on Hospital at Ferry Point ... 13-14

RIVARDI, J. J. ULRICH.
To the Governor; informing him of his appointment as engineer to construct fortifications at Baltimore, Alexandria, and Norfolk ... 91-2

RIVARDI, J. J. U.
To the Governor; relating to progress of the work on fortifications at Norfolk ... 184-5
To the Governor; stating reasons for being in Baltimore instead of Norfolk ... 110-11
To the Governor; relating to the fortifications of Fort Nelson and Crany Island ... 173-4
To the Governor; relating to work on Fort Nelson ... 221
To the Governor; forwarding a map of Elizabeth river ... 212

RIVARDI, MAJOR ... 87, 138, 183

ROANE, JOHN, J. P ... 176
Prays for remission of fine ... 149

ROANE, JOHN, Jr ... 327
To the Governor; applies for copies of revised laws for King William court and for himself ... 461
ROANE, SPENCER ... 399
Chosen judge of court of appeals ... 386, 389

ROANE, THOS.
Declined to act ... 129

ROANE, WM ... 120, 456
Acting J. P ... 129

ROBERTSON, CAPT. ... 497

ROBERTSON, LIEUT. ... 263

ROBERTSON, GILBERT. ... 504

ROBERTSON, WM. ... 363

ROBINSON, BENJAMIN. ... 179

ROBINSON, CAPTAIN. ... 189

ROBINSON, KINNEY. ... 249

ROCHESTER, CAPT. JOHN, of Westmoreland.
Inquest on the body of. ... 377-8

ROCKBRIDGE COUNTY.
Escheator appointed. ... 105
Number of militia. ... 161
Company of Light Infantry formed. ... 501

ROCKINGHAM.
Number of militia. ... 165

RODERIGUE, Mrs. ... 24

RODERIGUE, Widow. ... 23

ROGERS. ... 102

ROGERS, COMMODORE. ... 362

RONALD, ANDREW.
To the Governor; relating to lots in Manchester claimed by Andrew Donald. ... 26

ROOTES, THOS. READE.
To the Governor; solicits arms for Light Infantry company. ... 149
To Samuel Coleman; relating to receipt for arms. ... 154

ROSS, ALEX. ... 65

ROSS, DAVID. ... 54
Recommends Benjamin Day as agent. ... 6

ROSS, JOSEPH. ... 68

ROSS, Mr. ... 88

ROW, THOS.
Dead. ... 129

ROWAN, ROBERT. ... 440

ROWTON, JOSEPH.
Murdered by John Ford. ... 91

ROY, BEVERLEY. ... 129

ROYSTER, THOS.
Recommended as agent. ... 11
Solicits agency. ... 15

RUFFIN, EDMUND.
Recommends Francis Ruffin as agent. ... 26

RUFFIN, FRANCIS.
Recommended as agent 26

RUFFIN, JAMES.
Recommended for vacancy in court of directors in Williamsburg Hospital 361

RUFFIN, WILLIAM.
To the Governor; informing him of the departure of Mr. Brooke for Frederick county on State's business 36

RUFFIN, WILLIAM, Lieutenant 314

RUSSELL 169

RUSSELL COUNTY.
Judgment against sheriff of 151-2
Number of militia 165
Memorial of inhabitants of 451
Memorial of inhabitants praying for a return of the volunteer militia under the same officers as guard for that county 451

RUSSELL, JOHN 111

RUSSELL, JAMES 2

RYAN 160

RYAN, JAMES 299

S

ST. CLAIR, JOHN 206

ST. CLAIR, ALEX.
Recommends Wm. Patton as agent 8

SAINTGASSEIN, PETER 257

SALLY.
Brigg 87

SALMON, GEORGE.
To the Governor; requests a discontinuance of quarantine against Baltimore 350

SAM.
Negro man, the property of Charles Burton, condemned by the county court of Chesterfield to be hanged for rape 499-500

SANFORD, CHARLES 378

SANFORD, DANIEL 378

SARAH, Negro woman slave of Ellyson Young.
Petition for pardon, numerously signed 328

SAUNDERS 160

SAUNDERS, DAVID.
To the Executive; states failure of Chas. Guatkin, coroner of Bedford, to return an execution in due time 391

SAUNDERS, JACOB 271

SAUNDERS, ROBT 271

SAUNDERS, THOMAS 271

SAYERS, JOHN THOMPSON 210

SAYERS, ROBERT 380

SCOLL, GUS 364

SCOTT 169, 437

SCOTT, ANDERSON, J. P.
Acting 129

SCOTT, GENERAL 273, 304

SCOTT, GUSTAVUS 65

SCOTT, Mrs 436

SCOTT, RICHARD MARSHALL.
To the Governor; sending memorial of Richard Bristow of Great Britain 63-4

SCOUTS.
Pay-roll of 469

SCRUGGS 254

SELDON, WILSON CARY 293

SEMPLE, JOHN W.
To the Governor; solicits agency 1
Acting justice of the peace 129

SENATOR OF UNITED STATES.
James Monroe resigns 211
Patrick Henry appointed by Governor 211

SILBUT, ROBERTSON AND MUNRO 504

SIZER, BARTLETT 192

SHACKELFORD, FRANCIS 271

SHACKELFORD, GEORGE 271

SHACKELFORD, LYNE, Jr.
Declined to act 129

SHACKELFORD, WM 129

SHAW 285

SHAW, WM 262

SHEARMAN, Mr 400

SHELBY, OLD GENERAL 112

SHELDRAKE, Mr 437

SHELL, G 397

SHELTON, CHRISPIE 196

SHELTON, JOS 187

SHELTON, VINCENT 196

SHENANDOAH.
Number of militia ... 102, 107

SHEPARD, Mr. ... 16

SHEPHERD, DAVID ... 200

STILWELL, ELIAS ... 200

SHEPHERD, JOHN ... 140

SHEPHERD, ... 200, 201

SHIELD, SAMUEL ... 200-1

SHIRKEY, JAMES ... 200

SILLIAN, JOHN ... 117

SIMMONS ... 108

SIMMONS, Mr. ... 177

SIMMS, COL., of Alexandria ... 20

SIMS, D. ... 228

SINCLAIR, CAPT. ... 218-19, 228

SINCLAIR, Mr. ... 213

SKEIN, LIEUTENANT ... 178

SLAUGHTER, REUBEN ... 35, 281, 300

SLAUGHTER, ROBERT.
Appointed collector of taxes in Culpeper county ... 11

SLAVES.
Petition for pardon of woman ... 9
Jack, sentenced to death, recommended for mercy ... 30
Thomas Spencer, tried for felony ... 119-20
Mingo, convicted of poisoning ... 150
Lewis and Armstead sentenced to death for burglary ... 170
Petition for pardon of Lewis and Armistead ... 170
Petition for pardon of Paul ... 199
Joe, convicted of murder ... 199
Ned and Harry convicted of murder ... 200
Ben sentenced for burglary and recommended for mercy ... 200-1
Emanuel convicted of murder ... 200
Polly and Davy sentenced to death for poisoning ... 200-7
Petition for pardon of Sarah ... 200
George sentenced for burglary and recommended for pardon ... 207
Carrell sentenced for burglary and recommended for pardon ... 207-8
Sam sentenced to death for rape ... 208-300

SLOAN ... 100

SMALL-POX ... 100
Prevalent in Richmond ... 9, 10
In Manchester ... 105
Meeting of justices of Chesterfield relating to ... 49-8

SNOW VENUS ... 107-8

SOUTHGATE ... 160

SPALDING..... 271

SPENCER, EDWARD.
Recommended as inspector at Shepherd's warehouse..... 129

SPENCER, COL. THOS.
Recommended as agent..... 16

SPENCER, THOS..... 119

SPIERS, JAMES..... 480

SPIERS, Mr..... 123

SPILLER, HICKMAN..... 192

SPRAGINS, MELCHIZEDECK.
Solicits agency..... 27

SPRINGER, NATHAN..... 380

SMITH..... 160

SMITH, ALEX.
Recommended as flour inspector for Alexandria..... 68

SMITH, COLONEL..... 297

SCOTT, Dr..... 297

SMITH, EDWARD.
Relating to insurgents in Pennsylvania..... 268

SMITH, Mr. EDWARD..... 289

SMITH, GRANVILLE..... 42-3

SMITH, GEO. W.
To John Warden; relating to tobacco inspected at Bowler's warehouse..... 306

SMITH, JAMES..... 327

SMITH, JOHN..... 85, 410
Prays for remission of fine..... 195

SMITH, LARKIN, J. P..... 120, 334, 502
Acting..... 129
Qualified as member of the Privy Council..... 173

SMITH, MAURICE..... 123

SMITH, Mr..... 167, 226, 480

SMITH, THOS..... 85-6, 467

SMITH, THOS., Jr.
To the Governor; relating to Thos. Tabb's refusal to give bond as sheriff of Mathews for 1792..... 184

SMITH, WILLIAM..... 123, 451

SMITHFIELD EXPEDITION.
Auditor directed to prepare statement of expenses for..... 423

SMOCK, JAMES, Second Lieutenant..... 61

SMOCK..... 169

SNELSON 271

SOUTHAMPTON COUNTY.
Delinquency of sheriffs 102-3
Number of militia 165

SPOTSYLVANIA COUNTY.
Number of militia 162

STACKERSON, JAMES 337

STAFFORD COUNTY.
Number of militia 164

STAGG, JOHN, Deputy Clerk 392

STALNAKER, BARTON 262

STARLING, RHODERICK.
Not qualified 129

STARR, SETH 378

STALEN, Mr. 116

STALEN, WM. 115

STATE CAPITOL.
Defective condition of roof of 211-12
Duties of keeper of 230
Condition of roof 249-50

SURRY COUNTY.
Number of militia 165
Sheriffs of 280
Opposition by militia of, to service in Pennsylvania 306-9
Opposition to draft of militia 314-15
Letter of Governor Lee relating to disturbances in 330-1

STATE LANDS.
Condition of Buckingham furnace 254
Buckingham furnace 262-3

STATUKER, Scout 469

STEDMAN, CHRISTOPHER.
Recommended as inspector at Shepherd's warehouse 129

STEDMAN, CHRISTOPHER 149
Prays remission of fine 149
Inspector at Shepherd's warehouse, removed from county 128-9

STEED, ROBERT 437

STEED, ROBT. E 438

STEELE, COL. 371, 381, 390, 481
Report for terms for public printing 423

STEEL, HON. JOHN 130, 192
To the Governor; the mouth of Greenbrier, Walker's Meadow, and Strowd's country, points not secured against savages 104
To James Wood; informs him that the settlement of the public accounts progresses to his satisfaction 464

STEELE, COL. JOHN 400, 408, 477

STEELE, JOHN.
To the Governor; relating to the appointment of commissioners to run the boundary line between Virginia and Kentucky ... 450
To the Governor; informs him that his letter to Col. Monroe had been forwarded through the hands of Mr. Swan ... 453
To the Governor; relating to the settlement of public accounts ... 454
To the Governor; relating to public printing in Philadelphia ... 454-6
To the Governor; relating to settlement of public accounts ... 459
To the Governor; relating to Captain Hawkin's company ... 460
To the Governor; relating to the tardy progress in the settlement of the public accounts ... 476
To James Wood, Lieut.-Governor; relating to the appointment of Mr. Simmons to succeed Mr. Howell ... 477
To the Governor; informs him that the Secretary of the Treasury can give drafts on Virginia collectors of the revenue of the United States ... 479
To James Wood, Lieut.-Governor; relating to different rates of charge for rations ... 479
To the Governor; suggesting the propriety of sending to the war department all vouchers for military claims ... 480
To the Governor; acknowledging receipt of vouchers pertaining to settlement of public accounts ... 500
To the Governor; no progress made in the settlement ... 501
To the Governor; relating to the rolls of Clendinen's and Mann's companies ... 503

STEELE, Mr. ... 405, 446, 469

STEGAR, SAMUEL ... 192

STEPHENSON, MAJOR ... 323

STEUBIN'S MILITARY TREATISE ... 31

STEUBIN'S MIL. EXERCISE ... 90

STEWART ... 160

STEWART, JOHN ... 390
To the Governor; relating to his appointment of six scouts on the frontier ... 175
To James Wood, Lieut.-Governor; relating to court-martial on Col. Wells ... 278
To the Governor; relating to the compilation of the manuscript Journal of the House of Delegates for 1794 ... 462

STEWART, N.
Recommended as agent ... 22

STEWART, THOS.
Charged before county court of Charlotte county with stealing two children of Peggy Howell, remanded for trial to the next district court to be held in Prince Edward county ... 230-2

STILLWALL, ELIAS ... 290

STILLWELL, Mr. ... 294, 304

STINER, Printer ... 454-5

STOCKDILE, C. ... 23

STONE, EDWARD ... 378

STONE, JOSHUA ... 196

STONE, J. H.
To the Governor; relating to the delivery of men charged with the abduction of a negro woman and children from Maryland ... 376

STONE, W. S. ... 144

STOVER, JAMES 429

STRAW, LEONARD 210

STROTHER, DANIEL.
Recommended as agent 7

STROTHER, DAVID.
Recommended as agent 7

STUART, ALEXANDER.
Recommends William Patton as agent 9
Recommended as agent 17, 25

STUART, ARCHIBALD.
Recommends William Patton as agent 8

STUART, DAVID 196
Federal commissioner 22

STUART, JOHN 73
To John Steele; peace on the frontier of Greenbrier county 217

STUBBS, COLEMAN 271

STUBBS, JAMES 271

STUBBS, SAMUEL 271

STRICKER, CAPT 95

SUABILITY OF STATES 3

SUKEY, Sister 111

SUSSEX COUNTY.
Number of militia 162
Recommendations for sheriff 415

SUTHERLAND, Mr 181

SUSANNA 111

SWAN, Mr 453

SWAN, SAMUEL 119

SWIFT PACKET, Schooner 138

SYME, JOHN 482

T

TABB, JOHNSON.
To clerk of council; relating to Mr. George Booker's continuance in office of sheriff of Elizabeth City county 293

TAPP, VINCENT, C. C. M 449

TATE, W 140
To the Governor; Kent contractor asks for $1,500 for rations for volunteer militia on frontier 59
To the Governor; praying for a remission of fine 132
To the Governor; relating to the disbursement of money for the payment of troops on the frontier 277-8

To the Governor; requests pay for Messrs. Wilson and Cavendish as assistant paymaster of the volunteer militia 407-8

TATE, GENERAL 299, 337, 446, 481, 503

TATE, Mr 372, 399

TAXES.
Collection of, in Augusta brigade district 127-8
Collection in Mathews 184
James Innes relating to land 258-9
John Marshall's opinion relating to 347-8

TAYLOR 160, 169
Of Petersburg 204

TAYLOR, CAPTAIN 182-3

TAYLOR, C 328

TAYLOR, Dr 440

TAYLOR, G. K 220
To the Governor; military force necessary to hold the vessel 219

TAYLOR, GEORGE 497

TAYLOR, GEORGE, Jr., C. Clerk 491

TAYLOR, GEORGE, Jr., C. C. Dep't State 494

TAYLOR, GEORGE, Jr 496, 498

TAYLOR, GEORGE K.
To the Governor; account of expenditures on expedition to Smithfield 264-5

TAYLOR, JOHN 152-3
Bond as agent 35
To the Governor; relating to two resignations of officers on the frontiers 142
Relative to date of judgement against David Ward sheriff of Russell 152
To the Governor; recommends Thomas Mitchell as agent 249
To the Executive; informs them what public money is in his hands 402
Of Mt. Airy 123

TAYLOR, JAMES 168, 170, 192

TAYLOR, JAMES, Sr.
To the Governor; relating to a hospital for disabled seamen in the neighborhood of Norfolk 392

TAYLOR, LIEUTENANT 263

TAYLOR, MAJOR 219, 223, 224, 228

TAYLOR, MAJOR G. K.
Report to the Governor; detailing the events connected with the arrest of ship Unicorn 240-9

TAYLOR, WILLIAM 142

TAYLOR, ROBERT, Mayor of Norfolk.
To the Governor; relating to French emigrants 12
To the Governor; asking instructions on the power of magistrates in aiding in the arrest of deserters from ships of war 28-9
To John Hamilton, British Consul; relating to seamen escaped from British vessels of war 29

To the Governor; relating to a letter from the Commander of the ship Doedalus and the reply of said Taylor 75
To Sir Charles Henry Knowles; respecting an understanding had between the officers of the French fleet and Sir Henry Knowles, as to the sailing of the ship Doedalus out of Norfolk harbor 76-8

TAYLOR, ROBERT 168
To the Governor; relating to the money borrowed for use of French emigrants 201

TAYLOR, Mr 40, 88
Brass founder in Richmond 36

TALIAFERRO, COLONEL 123

TALIAFERRO, JOHN 123, 144

TALIAFERRO, PHILIP.
Declined to act 129

TARLTON.
Capture reported 63

TART, ROBERT 157

TAZEWELL, HENRY 386, 389
To the Governor; desires his credentials as Senator of United States 393

TEAS, WM 187

TEAYS, STEPHEN 399

TEBERGHIN, CHARLES.
Accounts against commonwealth as provost martial on trial of Capt. John McCullock 274

TEMPLE, B 374

TEMPLE, BENJAMIN 176, 327, 389
Solicits agency 7
To the Governor; respecting the collection of taxes 131-2
To the Governor; relating to a compromise between Col. Holt Richardson and Wm. Dandridge 396
Recommends Temple Elliott as collector of public taxes 464

TEMPLE, Mr 190, 399

TILLBALL, JOSEPH 74

TIGRE.
French ship of war 76

TIGER.
Ship 107

TINSLEY, CAPT 349

TINSLEY, CAPT. JOHN 89

TINSLEY, JOHN.
To James Wood, Lieut.-Governor; solicits appointment as captain of militia 159

TINSLEY, THOS 85

TINSLEY, PETER, C. H. C. C 66
To the Governor; relating to cases depending in the High court of chancery upon injunctions 117

THANKSGIVING.
Proclamation for, by the President of the United States 415

THOMAS, GEORGE 85

THOMAS, PETER.
To ——; waives his right to sheriffalty of Surry, and recommends Wm. Edwards for same 280

THOMPSON, PHIL. R.
Recommends David Strother as agent 7

THOMPSON, WILLIAM 210

THORNTON 271

THORNTON, BEVERLY.
To the Governor; solicits appointment as major in the militia 156

THORNTON, CAPT 121

THORNTON, WILLIAM 364

THOROGOOD 160

THRUSTON 271

THRUSTON, C. M.
To the Governor; relating to his duties as escheator 21
To the Governor; relating to the course of escheators in collecting rents on lands claimed by commonwealth 286

THWEATT, JOHN 463-4

TODD, SAMUEL.
Recommended as agent 2
To the Executive soliciting agency 9

TODD, HENRY.
Dead 129

TOMLIN, WALKER.
Recommends James Pierce as agent 8

TONEY, JOHN 192

TOWLES, COL 123

TOWLES, HENRY 123

TOWNLEY, SERGEANT 273

TREAKLE 271

TREASURER.
Election of Jaquelein Ambler 390
Of hospital at Williamsburg; application for £300 342

TREASURY.
Amount of money in 279
Statement of disbursements and discounts 329
Report on condition of 334
Statement of cash balance 342
Embarrassed state of 349

TRIMBLE, JAMES 414

TRIGG, JOHN.
To the Governor; relating to raising companies of Light Infantry in Bedford county 205-6

TRIGG, Mr 399

TRIPLETT 169

TRUINS, Mr 14

TUCKER & CALVERT 157

TUCKER, ELIZA 39

TUCKER, JOHN 39

TUCKER, Miss 71

TUCK, THOS 405

TUFT, MARY 423

TUNSTALL, WM 147

TUPPER, EDWARD 442

TURBEVILLE, GEO. LEE.
To the Lieut.-Governor; protests against the appointment of Col. Wm. Peachey as sheriff of Richmond county 350

TURNER, GEORGE 120

TURNER, JACOB 433

TWO SISTERS, Schooner 238

TYLER, JOHN.
Recommends Hamilton Wilcox as agent 16

U

UNDERWOOD, JOHN 478

UNICORN, Ship 223, 228
Description of 214

UNITED STATES.
William Davies relating to the claims of Virginia 43
Amount of debt of, to Virginia with account 53
Virginia militia called out for service of 145-6
Claims of Virginia against 319-20
To establish an arsenal in Virginia 367

URIE 271

V

VANBIBBER 380, 385

VANBIBBER, CAPT 395

VANBIBBER, JOHN 33, 429

VANBIBBER, JAMES 188-9

VANBIBBER, LIEUT 130

VANSTABLE, ADMIRAL 76, 106, 214
To John Cropper; relating to Snow Venus 107

VANSTABLE, REAR ADMIRAL 489

VANSTABLE, Ship 108

VAUGHAN 160, 271

VAUGHAN, THOS 188, 388
Recommended as agent 10-11
Solicits agency 25
To the Governor; relating to bond for collection of arrears of taxes 396

VAUGHAN, WM 157

VERMONET, JOHN.
To the Governor; relating to the fortification of Annapolis and Alexandria 186

VERMONET, Mr 138

VERIKER, J.
To the Governor; relating to pay-rolls and rations for scouts on the frontiers 67

VICK, JOSIAH, Collector of Southampton.
To the Governor; prays for remission of fine 447

W

WADDY, SAMUEL.
To the Executive; prays remission of fine 156

WAIN, GENERAL 304

WALLACE, CAPT., AND CREW.
Carried to Algiers 38

WAGONER, S 270

WALKER, HUMPHREY 129

WALKER, JOHN, Clerk 228

WALKER, MERRY 227

WALKER, THOMAS.
To the Governor; forwarding recommendations of court of Princes Anne for militia officers soliciting arms, &c., for 20th regiment 236-7

WALKER, WM 227
To the Governor; relating to instructions to commandant of militia of James City, 138

WALTHALL, ARCHIBALD 500

WARD 402

WALTON, TILMAN 187

WARD, Mr 486

WARD, WM 147

WASHINGTON, CORBIN.
Recommends James Pierce as agent.. 8

WASHINGTON COUNTY.
Indian outrages in..... 111-15
Number of militia..... 165
Indian incursions..... 108-9
Opposition to excise law in..... 249
List of persons who settled in..... 397

WASHINGTON, GEORGE, President United States 84
To General Henry Lee; in relation to the Pennsylvania insurrection..... 356-7

WARDEN, JOHN..... 327

WARE, LIEUT.-COLONEL..... 470

WARING, WM..... 123

WARMAN, JOSHUA..... 443

WARREN, COL..... 123

WARWICK, WM.. 187

WATKINS, JOEL.
Recommends Peter Barksdale as agent..... 18

WATKINS, F.
Recommends Major Bibb as agent..... 21

WATKINS, T..... 328

WATKINS, T., C. C..... 500

WATKINS, THOS 405
Recommends Peter Barksdale as agent..... 6

WATSON, JOHN..... 328

WATTS, COL., Indian..... 208

WAYNE, GENERAL..... 19, 59, 96, 124, 176, 324, 337
Progress last fall small..... 7
Marching into the enemy's country..... 34

WEBB, CAPT. TARPLEY, of the Venus..... 329-30
Relating to violation of quarantine rules by Captain Ainsworth..... 329-30

WEBB, JAMES 120

WEBLEY, JOHN.
Recommended as inspector at Shepherd's warehouse..... 129

WEDDERBURN, J. P..... 129

WEDDERBURN, JOHN.
Acting..... 129

WEDDERBURN, WM.
Recommended as Captain of Artillery..... 187

WEISIGER, JOS.
To the Governor; sergeant and eight men to assist Mr. Randolph..... 224

WEISIGER, CAPT..... 228, 265

WELLS, CHARLES 180, 306
To the Governor: relating to an incursion of Capt. John McCullock into the Indian country 7
To the Governor; relating to contract for provisions to rangers on this frontier 59
To the Governor: complains that supplies were not furnished to the different parts of the Monongalia district 175
To the Governor: relating to his contract for furnishing provisions on the frontier, 181–2

WELLS, COL. JAMES 219

WELLS, LIEUT.-COLONEL 277

WELLS, WILLIAM 68

WELLS, LIEUT 372, 382

WELFORD, Dr 357

WEST, R.
To the Governor: relating to Bennet's right to hold property in Fairfax 87
To the Governor: encloses copy of inquisition taken as escheator in Fairfax county, 226

WESTERN DEFENCE.
Relating to account against the United States 423

WESTFALL, GEO., scout 469

WESTFALL, WM., Scout 469

WHARTON, JOHN 125–6

WHISKEY INSURRECTION.
Relating to 372

WHITE, ELISHA 383–4

WHITEGAR, CAPT 121

WHITE, Dr 448

WHITE, WHITTLE & CO 106–9

WHITTLE, Mr 329

WHITING, HENRY 271

WHITING, HORATIO 271

WHITING, LEWIS 271

WHITING, FRANCIS.
To Nicholas Blair; proposing to raise a troop of Cavalry 371–2

WHITING, PETER B.
Recommended as agent 7

WHITING, THOS 271

WHITLOCK, THOS.
Recommended as a justice of the peace 359

WHITLOCK, WM.
To the Governor; solicits small arms and accoutrements for artillery company 149

WHITWORTH, JOHN 327

WIATT, PITTMAN.
Petition of people of King & Queen against his becoming a pensioner..... 133

WILCOX, GEORGE..... 109

WILCOX, HAMILTON.
Recommended as agent..... 16

WILKINS, GENERAL..... 180

WILKINSON, WM..... 196

WILKINSON, Mr..... 399–400

WILLIAMS..... 109, 160

WILLIAMS, BRIGADIER..... 203

WILLIAMS, ENSIGN..... 169

WILLIAMS, GEORGE..... 169

WILLIAMS, JAMES.
To the Governor; asking cannon and arms, &c., for the artillery company at Fredericksburg..... 110

WILLIAMS, JESSE..... 169

WILLIAMS, JOHN..... 271
Encloses list of men composing independent volunteer company..... 168–9

WILLIAMS, Mr..... 372

WILLIAMS, MAJOR..... 315

WILLIAMS, PHILIP, AND R. PASLEY.
To the Governor; petition for relaxation of discipline in Henrico county jail..... 217

WILLIAMS, WM. C., Agent for 7th Brigade.
To the Governor; asking that an agent be appointed for ascertaining the amounts collected by the sheriffs on account of revenue for 1785 and 1786 not returned... 127–8

WILLIAMS, WM. C.
To the Governor; declines to receive the allowance made by the Executive for services in attending an escheator's inquest in the county of Berkeley..... 428

WILLIAMS, WM..... 271

WILLIS, COL. HENRY..... 65

WILLIS, Mr..... 386

WILS, Mr..... 261

WILSON, BENJAMIN.
To the Governor; recommending Wm. Martin as paymaster for the Western district..... 179
To the Governor; relating to the proclamation of the Governor concerning the rebellion in the State of Pennsylvania..... 289

WILSON, CAPT..... 113

WILSON, GEORGE..... 157

WILSON, COL..... 99, 183–4, 475

WILSON, JOHN 196
To the Governor; relating to recommendation by the court of Pittsylvania of militia officers disapproved by the Governor 269

WILSON, Mr 399, 407, 452, 464

WILSON, THOS 279, 453, 444
To the Governor; relating to ration abstracts 443

WILSON, W 478, 488
To the Governor; informs him that two British ships of the Line and some others have arrived within our Capes 459
To Lieut.-Governor James Wood; relating to impressment of American seamen ... 361-2
To Rear-Admiral Murry; relating to instructions when belligerent nations shall use the waters of Virginia as a station 472
To the Governor; relating to the delivery of instructions to the commanders of the vessels of belligerent nations in Hampton Roads 477
To ——; this letter is a copy of that found on page 472 to Admiral Maury 490
To Harvy; forbidding his departure from Norfolk 491
To the Governor; relating to the instructions respecting the rights of belligerent nations in the waters of Virginia 495

WILSON, WILLIS 317, 475
To the Governor; relating to the capture of a brigantine in Hampton Roads belonging to Mr. Fitzsimons, member of Congress, for an attempt to violate the embargo, 105-6
To B. G. Bradby or Col. Cocke; asks for Jesse Clarke's exemption from military service 311
To the Governor; asking instructions as to permitting the British ships Thetis and Cleopatra to enter the port of Norfolk for repairs 416

WILLIAMSON, GEORGE 192

WILLIAMSON, JOHN 180, 182, 497

WILLIAMSON, ROBERT.
Solicits an agency 21

WILLOUGHBY, LIEUT 134, 140
Tried by court-martial 14

WIMBISH, J.
To J. Pendleton, Auditor; asking instructions as to second offering of commonwealth's lands for sale 61-2

WAIDER, Mr 56

WINSTON, EDMUND.
Recommends Alex. Stuart as agent 17

WISE.
Delegate 126

WISE, JOHN.
To Arch. Blair, C. C.; requesting copy of letter 480

WISE, TALLY R 327

WITCHIE, WM 196

WOOD, ARCHIBALD.
To Lieut.-Governor Wood; relating to condition of affairs on the frontier 176

WOOD 123

WOOD, GAB 14

WOOD, GENERAL 70, 141, 216, 298, 454, 460

WOOD, J. G., Surgeon in British Navy.
To the Governor; asks protection 470

WOOD, JAMES 502

WOOD, JAMES, Lieut.-Governor 105, 123, 259, 316-17, 336
Revokes proclamation of quarantine against Baltimore 362

WOODS, Messrs 59

WOOD, Mr 181

WOODBURY, LANGDON 53

WOODCONE, PATRICK 138

WOODROWE, ALEXANDER 148

WOODS, ARCHIBALD 379
To the Governor; relating to provision return of Lieut. Well's rangers 271

WOODSIDE, CAPT 228

WOODSON, ANDREW.
To the Governor: relating to appointment of sheriff for the county of Hampshire, 465

WOODSON, BENJAMIN 192

WOODSON, JOHN.
Recommends Stephen Cooke as agent 25

WOODSON, FREDERICK 192

WOODWORTH, DUDLEY.
To the Governor; solicits captaincy or first lieutenancy in militia 159

WORMLEY, RALPH.
To the Governor; relating to sheriff's court to elect a representative to Congress ... 456-7

WORREL, BENJAMIN 433

WREN, JAMES 270

WRIGHT, MAJOR JAMES 370-1

WYLDS, THOMAS.
To the Governor; relating to an order to supply Capt. Laud Carter's company with provisions 499

WYATT, JOHN 271

WYTHE, COUNTY.
Recommendation for sheriff 210
Number of militia 163, 167
R. Crockett appointed clerk of 209
Justices of 210

WYTHE, GEO., Judge of High Court of Chancery 65

WYTHE, G 66

Y

YERBY, THOMAS.
To the Lieut.-Governor; protests against appointment of Col. Wm. Peachy as sheriff of Richmond county 339

YANCEY, CHAS.
Recommended as agent ... 3
Recommended as colonel-commandant of the county of Buckingham ... 344
To James Wood, Lieut.-Governor; relating to commission of colonel-commandant of Samuel Allen ... 360
To James Wood; relating to decision of the Council between Mr. Allen and himself ... 364–5

YANCY, Mr ... 365

YATES ... 271

YORKTOWN.
Violence committed upon English vessel by citizens of ... 193

YOUNG ... 342

YOUNG'S BRIGADE ... 343

YOUNG, BRIGADIER, President of Court-martial ... 277

YOUNG, DAVID ... 134
Gives deposition in dispute between Colonel Campbell and Capt. Lewis ... 139–40

YOUNG, HENRY ... 129

YOUNG, RICHARD ... 122

YOUNGHUSBAND, ISAAC ... 258

YOUNGHUSBAND, Mr ... 41, 58

YOUNG, SMITH.
Prays for remission of fine ... 149

YUILLE, THOS.
Recommends M. Spragins as agent ... 27

Z

ZANE, EBENEZER ... 300

ZANE, BRIGADIER ... 203

ZANE, ISAAC.
To the Governor; relating to the Seventh Brigade ... 446

ZANE, COL. EBENEZER ... 96

ERRATA.

On pages 21, 271 and 286, for "Thurston," read "Thruston."

On page 193, for "Alexander Campbell, Attorney-General of the United States," read "Alexander Campbell, District Attorney of the United States for Virginia."

On page 205, for "Alexander Campbell, Attorney-General of the United States," read "Alexander Campbell, District Attorney of the United States for Virginia."

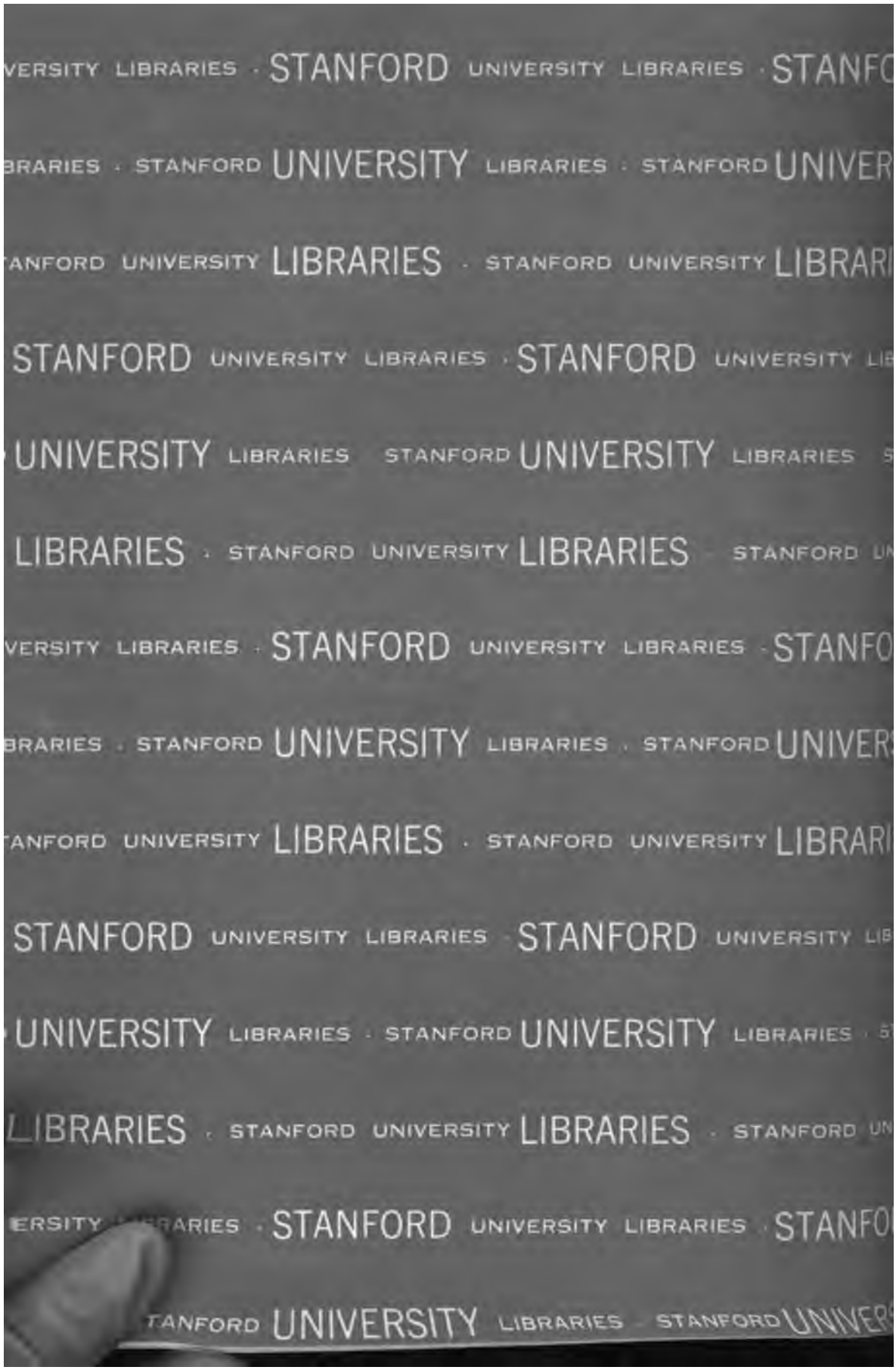
On page 213, for "Alexander Campbell, Attorney-General United States," read "Alexander Campbell, District Attorney of United States for Virginia."

On page 236, for "Walker," read "Walke."

On page 426, for "Alexander Campbell, Attorney-General of the United States," read "Alexander Campbell, District Attorney of the United States for Virginia."

On page 516 of the Index, for Alexander Campbell, U.S. Attorney," read "Alexander Campbell, District Attorney of the United States for Virginia."

On page 586 of the Index, "Thomas, Peter," should be "Peter, Thomas."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